

THE
South Atlantic Quarterly

WILLIAM K. BOYD,
WILLIAM H. WANNAMAKER, } EDITORS

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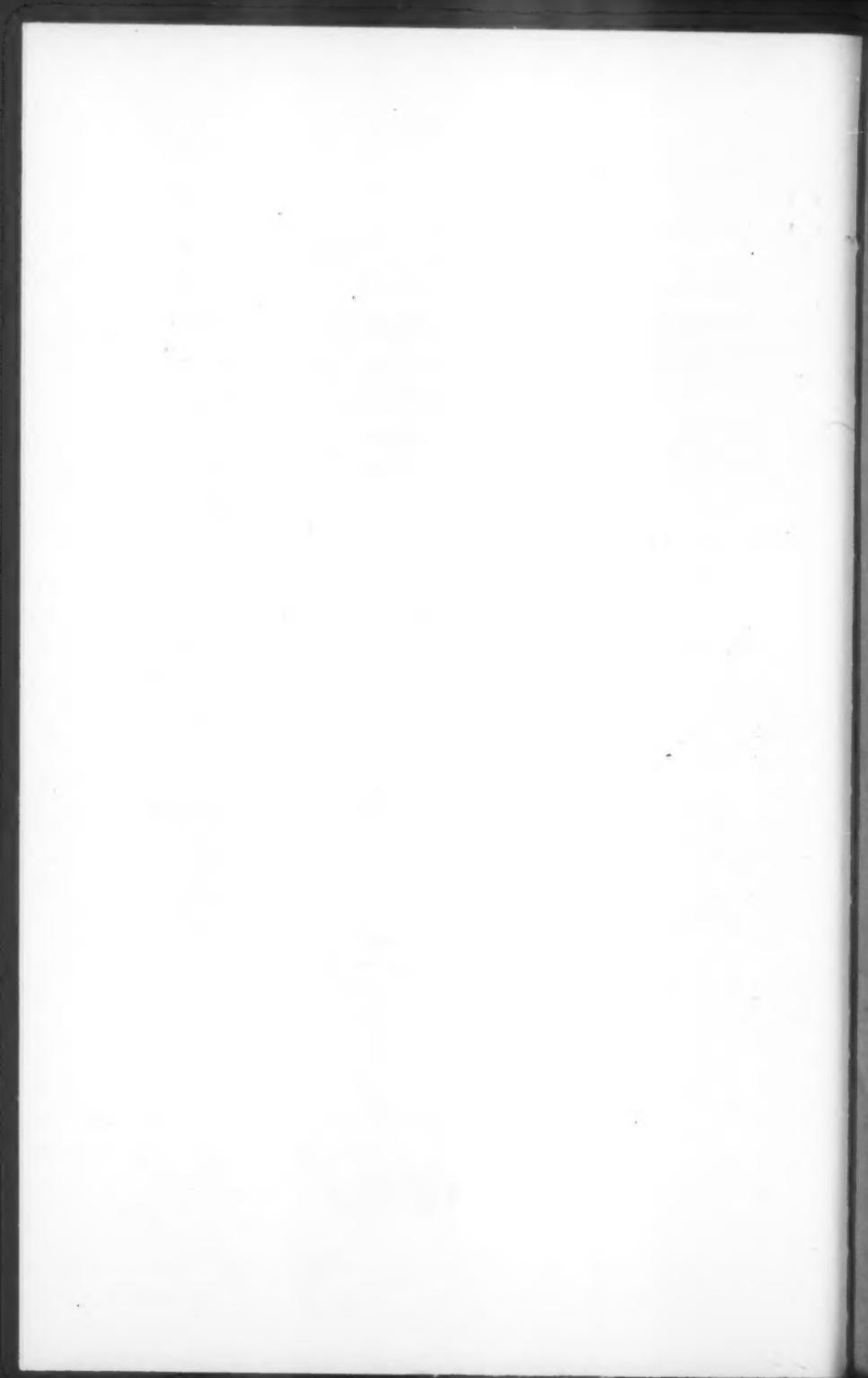
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Number 1

The

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EDITED BY

WILLIAM K. BOYD and WILLIAM H. WANNAMAKER

JANUARY, 1921

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The South Atlantic Quarterly

What is Property?

R. ESTCOURT
Berkeley, California

A century ago this question was propounded by a French economist. He made an exhaustive examination of the subject, but it is doubtful whether his essay did much toward a solution. The reason for his apparent failure is probably to be found in the circumstance that he saw beyond his age and that facts which have now matured had not then revealed themselves sufficiently to enable him to bring home to the ordinary individual the need for an interpretation of the term. Highly-trained minds were becoming cognizant of changes in economic conditions that would necessitate fresh definitions, and the sharing of this consciousness induced Proudhon to attempt an elucidation of the coming position. Yet outside the circle of a few advanced idealists it is doubtful whether there were many who really grasped the significance of the fundamental needs that gave birth to the effort. It will not help us today to recapitulate the several aspects of the subject under which Proudhon endeavored to approach his readers, but we owe to him the debt due to all who have gone before and labored with earnestness of purpose to ballast the road on which we can therefore travel more easily. If his work lacked incisiveness, it was not due to want of ability but because there was not available in his day the needful material for completion. Most people who know the name of Proudhon will glibly recite "Property is Robbery, according to Proudhon," and then laugh at the boldness of the assertion, swelling a little at the sense of

naughtiness in having found the courage to repeat such an outrageous statement—a fearful heresy that by apparent desuetude just retains sufficient spice to savor of smartness. Few indeed of such people have the slightest further acquaintance with anything that Proudhon said or what was stirring in the depths of his mind. To them his supposed doctrine is a negation of the most cherished faith of the western world, a negation so obviously absurd as now to be harmless enough to bandy about for an after-dinner pleasantry.

If "new occasions teach new duties and time makes ancient good uncouth," none the less do new occasions require new definitions and the lapse of time make ancient terms untrue. Nowhere is this clearer than in the domain of economics. What could be more misleading than the perpetual perversion of the words society and confiscation through their development of a double significance? Society as a term to define an aggregate of human beings working harmoniously together is a vastly different conception from society with a big initial S—comprising the drones, adventurers, and other irresponsible beings who form a picturesque but otherwise useless group of the before-mentioned aggregate. The word confiscation, adroitly introduced, usually places its propounder temporarily on the same pedestal of assumed righteousness as the denouncer of heresy. The charge of confiscation is the favorite defense of those who desire to shift their burdens of taxation on to weaker shoulders. It is usually so glibly passed that the audience has not time to reflect that if legitimate taxation consists in taking a portion and "confiscation" in taking the whole, then to take ninety-nine cents on the dollar would not be confiscation. If it would be so, then by a process of elimination the conclusion is inevitable that there is a point where a difference of a cent or a fraction of a cent divides taxation from confiscation.

The third of this trinity of equivocal terms is undoubtedly property. In an important decision the New York Court of Appeals held that "the framers of our Constitution must be supposed to have used the word in its ordinary and popular signification, as representing something that can be owned and

possessed and taken from one and transferred to another." The framers of our Constitution, however, preceded Proudhon and were therefore at a still greater disadvantage in any effort to answer his question in such a manner as to satisfy the demands of later time. Today the word property is used in three distinct ways, and frequently in all those ways more than once by a single individual in a single dissertation. The first use is that set out in the judgment quoted. The second is the narrower use for fiscal purposes. The third occurs when the two classes, the propertied and the propertyless, are under discussion. As between two litigants the first definition may suffice, namely, "something that can be owned and possessed and taken from one and transferred to another." When taxation is the subject, it is necessary to adopt a fresh conception and to keep firm hold of it. Property then signifies the capitalized value of the income which the possession will yield. The same possession may under one set of circumstances be property, and, under another, wealth. The distinction between property and wealth has no importance for the propertyless when engaged in ordinary conversation, but it is of vital importance on those occasions when the propertyless come to consider their relations to the propertied. A picture is wealth when open to gratuitous inspection, property when a charge is made for viewing it. Some persons might jump to the conclusion that this latter aspect of property is synonymous with capital, but a little reflection will make the distinction clear. Property thus conceived may include capital as one of its forms; but the true conception of capital is property utilized not merely to produce an income, but with the purpose of appropriating surplus value. Until intangible capital came to occupy so large a place in daily life, the words "a person of property" meant an owner of real estate, "*un rentier*" as the French put it. It still means this to the peasant class—a class which, for this purpose, must include all who have not risen to intellectual life. Today, however, to those who think, the *rentier* and the person of property have come to mean a person having the control of the labor value of others without the necessity of rendering any service personally; essentially such an individual as is contemplated by Pro-

fessor Veblen in his *Theory of the Leisure Class*. Used in this sense property comes to mean the capitalized value of the power—however acquired—of appropriating to one's personal use the value produced by the exertions of others, without any legal obligation to render any personal service in return. Practised political speakers know exactly when and where these conceptions can be blended successfully. To their employers it is of paramount importance that the possessor of a bungalow and a few chattels should be deluded into thinking that he is an owner of property, that he is in the same class as those who have the power of appropriating the value produced by the exertions of others without rendering any personal service in return, instead of being as far asunder from them as the tropics from the poles.

Now behind all this is a psychology as old as, and older than, the earliest history. Economists are much to blame for making their starting point too late in time. They postulate the conceptions of western Europe as if the conditions that obtain there had no antecedents. They altogether omit the vast historic fact of the conception of property on to which the European idea has been grafted without in any way disposing of the original growth. The manifestations of unrest and discontent with existing systems are by no means the result of new ideas. They are particularly a recrudescence of the old, made more insistent in appearance by recent sudden displacements of the superimposed class. We have gone gaily on in a blind conceit, so satisfied with modern civilization as we know it, or imagine it to be, that we find it difficult to recognize a still more massive civilization that has never adapted itself to our ways. Its existence was not previously recognized because it was in such slight contact with our concerns. When it now protrudes itself on our horizon we conceive it to be something new, something born of ignorance, "vacant of our glorious gains." We are like a bee-keeper who furnishes his hives with spherical cells and is then surprised when the bees remodel the wax into hexagonal form. He would even "stamp out" the bees responsible for introducing the hexagonal form of cells, appealing to the supposed sensible bees to aid in the effort. He is still further

surprised at the remarkable deficiency in the expected number of "sensible" bees.

The Asiatic conception of property is widely different from ours. Civilization was born in Asia and proceeded by easy steps from primitive conditions. The earliest condition of organized humanity was the pack—a group that hunted in concert after the manner of wolves. From this was evolved the commune, which in its various forms existed everywhere unchallenged until about 1,000 B. C. The economic unit of Asia is still the commune rather than the individual. Asia's ancient empires resulted from the superimposition of a robber or military caste which was maintained on the proceeds of tribute levied on the communistic groups. Everywhere the group remained intact and the tribute was demanded from its representative and was assessed by him on the other members. The tribal chief, sheik, or hetman negotiated with the collector as to the amount to be contributed and the fiscal ability of his people. In the relatively rare instances when this could not be satisfactorily adjusted and the demand savored of oppression, there was armed revolt; negotiations were broken off and the fact was announced in words equivalent to the cry, "To your tents, O Israel." The coöperation of other groups, the nearness of war with other empires, any of the thousand varying chances that determine military operations came into play, resulting in a crushing subjection or a change of the super-dynasty. In these adventures captains of larger or smaller military forces were deputed by the supreme government. On the commanding officer rested the responsibility for provisioning and equipping his outfit. Accountancy being primitive, there was an easily obtainable margin between the gross amount collected and the net proceeds handed over after the deduction of the actual or alleged expenses. Thus the position often became very lucrative and resulted in a series of delegations of similar power to officials who became tax-farmers of varying degrees. There was no other road to property than taking a hand in the collection of tribute, "the appropriating to one's personal use the value produced by the exertions of others without any legal obligation to render any personal service in return." Each

delegation of the franchise created a new middleman-property-owner who had only to receive the largest amount of profit he could intercept and to spend it as he would. Those closest to the supreme head became nobles and territorial magnates, the counterpart of modern kings of enterprise.

In the Asiatic system, however, there was never recognized any individual title to private ownership—as we know it—of land or of any public utility or natural resource. Theoretically these were all vested in the monarch as representative of the supreme overlordship and were subject to him, in the various communes as his microcosms. The intermediaries were removable at his pleasure, and removal usually meant death or exile. In the communes also no individual had more than possession, which is very different from proprietorship. But the fruits of his labor after payment of the communal dues were his individual property. The inception of the system that ultimately became the Roman Law cannot be accurately dated, but from references in the Vedas and other religious records it is safe to say that about 1000 B. C. individual claims began to be made to the ownership of the soil and to natural opportunities. On this major premise the whole fabric of the Roman Law rests, the absolute ownership of the soil or of any natural resource giving the absolute ownership of everything resulting from its use. Such slavery as existed under the Asiatic law rested on theocratic grounds; under the Roman law it had an economic basis, the slave being a mere chattel. Individual ownership in substitution for communal ownership did not make very noticeable headway until the advent of the Greek republic. With the rise of Rome the idea spread with great rapidity until, under the Roman Empire, it became the feature distinguishing that civilization from all that preceded it. Individual absolute property in the soil and natural opportunities are the corner stones of Roman Law and Roman civilization. The varying systems of tenure that have existed and still exist all over Europe result from compromise between the people who freed themselves by breaking up the Roman dominion and the powerful minority that was able in some degree to enforce its principles subsequently to its downfall. The ruling classes of the western world have

always insisted on the study of the Roman Law as the basis of all law. On the other side was the Christian Church—an essentially Asiatic institution. Its sympathies were entirely opposed to the Roman conception, until the Protestant Reformation. The cardinal feature of Protestantism is the economic severance of the Church from its Asiatic moorings in an attempt to ally religion with the Roman law of property.

The western world regards the Asiatic conception of property as the negation of property; the older civilization regards the western idea equally as a negation of property. Thus we have two parties, each incomprehensible to the other, each seeing in the doctrine of the other the destruction of what he has been taught to regard as the essential condition of all that makes existence desirable. Under one system every member has been brought up to regard his interest in the soil and natural opportunities as equal to the interest of every other member of the community in them and also to regard all that he can produce by his labor as his own possession. When it is proposed to him that the soil and natural opportunities shall belong to an individual who shall have the power to regulate his labor, merely allowing him for his share of the fruits so much as is necessary for his bare subsistence, the arrangement presents itself as a complete violation of his rights of property. Equally with the proponents of the western system he recognizes the need for contribution, in the form of taxation, to the expenses of government, but he regards as confiscation of his property any demand made by a private individual in excess of this need. Out of this instinct, an instinct as primeval as the making of hexagonal cells by the bee, arises the apparently new demand of the worker for the whole fruit of his labor. It is, however, not a new demand. It is a demand for the restoration of his ancient rights.

On the other hand, an individual brought up entirely in the atmosphere of western ideas is unable to conceive a condition of affairs where the personal appropriation of the soil and natural opportunities is unlawful. To him this demand of the worker appears as something startlingly new which should be stamped out before it attains dangerous proportions. His ig-

norance of economic history prevents his sifting the facts and learning that his system is the innovation which others think should be stamped out before it wrecks the world.

So long as there remained vast areas of unappropriated land and natural opportunities, attention was easily diverted from consideration of the vital bearings of this question. It was always open to the troubled ones to "go and do likewise"—to go west and help themselves. But this resource has now come to an end, as it came to an end in Asia milleniums ago. We are now confronted with the problem that has long ceased to be a problem to the eastern world, but we are making the colossal mistake of conceiving of their lands as available for a fresh extension of the remedy of westward settlement and self-help. Even university professors propound the misconception that the eastern world is in an elementary economic stage and that there should be missionary enterprise to educate its people in western ideas. The error arises from confounding progress in economic philosophy with progress in material development. The complete philosophy of property can be developed in stages of production and distribution that have none of the modern material accessories. It is not necessary that there should be steam, electricity, and power-driven machinery before people can reason on the relationships of property to the individual. The industrial age has only presented the old problems in a fresh form. We need humility rather than missionary enterprise. Steam, electricity, and power-driven machinery can be utilized to advantage by the eastern world without in any way necessitating a departure from its economic ideals. With eastern peoples these appliances would be subject to precisely the same communal ownership for the equal benefit of all. The adoption of western mechanical aids to the manipulation and distribution of material by no means necessitates the adoption of western economic philosophy. There is no essential connection between the two. In our failure to realize this fact lies our difficulty of comprehending the eastern point of view. To this comprehension nothing is more essential than a reconsideration of economic terminology.

An accurate conception of the implications of the word

property thus becomes of vital importance. To extricate ourselves from the present conflict of ideas we must separate the idea of wealth or possessions from that of property. If we desire to continue to apply the term property to a man's house and lot and such other possessions as are only used by him for the personal comfort of himself or family, then it is essential that we cease to apply the same term to his ownership of land and natural opportunities used for purposes of profit. All opportunities of profit that are not equally shared with the community are really franchises; and a franchise in the last resort is simply the power to tax the earnings of others in excess of any service rendered. Such services as are ostensibly rendered in justification of the privilege of a franchise are always rendered by non-property owners. The value of the franchise consists in the capitalization of the income beyond what is necessary to provide these services, an income that is enjoyed by those who are under no legal obligation to render any personal service in return. The inability to comprehend the so-called "unrest" of the present day is largely due to confusion of thought as to what is property, and this confusion undoubtedly to some extent is fostered by those who profit by it.

Santo Domingo: A Study in Benevolent Imperialism

RANDOLPH G. ADAMS
Trinity College

The Dominican Republic is asking the United States for home rule. What is the story behind a situation in which a small nation, which the language of diplomacy and international law is pleased to term a sovereign and independent state, has to request the great republic of the North please to call off its war-dogs? How does it happen that the idealistic nation which has preached the self-determination of small nations is discovered in the position of being asked at least to grant the Dominicans a "dominion status"?¹

The Dominican Republic occupies the eastern two-thirds of a West Indian island which looms large in the pages of American history. Here Columbus made his first permanent settlement in the new world, and here was long the metropolis of that great Spanish-American Empire which extended from Oklahoma to the River Plate, an empire which was a going concern seventy years before the Pilgrim Fathers ever thought of Plymouth, an empire which endured for three hundred years. On the western end of the same island was the French colony of St. Domingue which staged such an interpretation of the French Revolution that Napoleon Bonaparte was forced to give up his dreams of a colonial empire and sell Louisiana to the United States.² St. Domingue gained its independence and became the black republic of Hayti and eventually an "enfante terrible" with whom the United States seems to have been less benevolently imperialistic. But we are concerned with the other end of the island, where the Spanish colony of Santo Domingo revolted from its mother country along with the other Spanish American colonies in the early nineteenth century, and where after various revolutionary vicissitudes there began in 1844 the career of the Dominican Republic.

¹ W. E. Pulliam, former Receiver-General of the Dominican Customs, in the *New York Times*, November 7, '20; Manuel Galvan, Dominican Consul General at New York, in the *Christian Science Monitor*, November 11 and 19, '20.

² L. Stoddard: *The French Revolution in San (sic) Domingo*: (1914).

Born amidst revolutions, this republic has never given up the habit of rehearsing them at frequent intervals during its troubled existence. Its independence was due to a small group of really patriotic and enlightened men, whose aspirations were no sooner crowned with success than they fell out among themselves, and so began that series of tragical comedies best told by the continual repetition of the following formula: "A General rode into Santo-Domingo City; seized the customs house; overthrew the government; had himself elected president and so remained until overthrown himself by a similar process." The customs-house was the crux of the situation, for the opposing army usually deserted to the side which had a paymaster, i. e., the side which held the customs-house.

From its independence in 1844 to its third annexation to Spain in 1861, the story of the Dominican Republic revolves around the names of two "generals," Pedro Santana and Buenaventura Baez, who alternated in control of the Republic. Occasionally a puppet of one or the other of them gained the presidency, but in the main it is probably not far wrong to say that these two, by alternate revolutions, gained and lost the supreme power. With these revolutions went their usual accompaniments. There were practically no parties, save the personal following of the leaders. In Anglo-Saxon countries the attempt, at least, is made to designate parties by words which designate principles. In the more backward of the Latin American Caribbean Republics a party name is simply the name of the party leader with the letters "-ista" suffixed thereto. Politics is still a matter of personality rather than of principle.

This period of swapping presidencies for exiles came to an end with each of the leaders trying to sell out his country to a foreign power. In 1861 Santana, actuated by various motives, not the least among which was a desire to make secure his own position and domination as a Spanish Captain-General, deliberately got Spain to reannex her lost colony. He chose a fortunate moment when the United States, busy with its War between the States, could not assert the Monroe Doctrine. But no sooner had the Spanish flag been raised once more on the public

buildings of Santo Domingo, than Santana began to exercise his newly confirmed authority in a manner so scandalously ruthless as to elicit the protests of even the newly arrived Spanish military commander. The period of Spanish domination produced nothing but friction between the new masters and the erstwhile republicans. Spaniards filled the high offices to the exclusion of Dominicans, and if there is one thing more than another which produces trouble in Santo Domingo, it is a disappointed office-seeker; he joins the revolutionists at once. Moreover, the Spanish subordinate functionaries were drawn largely from Cuba and Porto Rico, where blacks and mulattoes were still a degraded race. To find themselves in a country where blacks and mulattoes were their equals was a state of affairs to which they seemed unable to adjust themselves. Moreover, the Spaniards had learned little since the sailors of Columbus tried to enslave the original inhabitants of the island. Yet, in the three hundred years which had elapsed, even the African-blooded Dominican had learned that if you are going to elope with a lady, it is just as well to ask her permission. The Spaniards conducted such a régime that no one's private life or affairs were exempt from its tyranny. The inevitable Spanish priest made himself thoroughly obnoxious by not understanding that he was living in the nineteenth century of religious toleration and not in the fifteenth century of religious persecution. Protestant churches were closed and households were filled with spies in the pay of the Spanish Archbishop at Santo Domingo. One venerable native priest remarked: "The archbishop is a worthy man, but he seems to think he is living in the time of the inquisition." The Spaniards had a perfect mania for paternalistic interference in the lives of the Dominicans, who had apparently made at least more progress than their masters in the matter of personal liberty. The inevitable result was another revolt which Spain could not handle, because the War between the States was over and Spain could no longer disregard the warnings of Secretary Seward, backed by an enormous and veteran army.

Santana died in the midst of the last war for independence, and no sooner was the Spanish flag lowered for the last time on the customs houses of Santo Domingo than the leaders revived the internecine strife which characterizes Dominican history. A protracted revolt, such as that which had driven out the Spaniard, always produced a crop of "generals," each with an equal claim to the presidency. Only one could be elected, and the others would stage a revolution and displace him. The displaced "general" would promptly take to the woods, join other disgruntled "generals," and make things hot for the newly "elected" president. Then, when the time was ripe, they would conduct another revolution, install another president, whose victim would take to the woods along with the late revolutionists who had not received fat rewards, or the "generals" who had not succeeded in becoming president. No comedy was ever penned which is, in one sense, more absurd than the political history of Santo Domingo.

After the expulsion of the Spanish, Baez came back and began an administration which is marked by two important events. First of these was the Hartmont loan, the first of a series of almost childish financial transactions which ultimately led Santo Domingo into the position of semi-independence which it now occupies. To put this transaction briefly, President Baez induced the London bankers, Hartmont and Co., to float a loan for \$3,788,000 for the republic. Of this the Dominican Treasury was to receive about one half (\$1,600,000). Yet the Dominican Republic agreed to pay as interest and on the sinking fund in twenty-five years the amount of \$7,362,500. Hartmont and Co., were to receive \$500,000 as commission. In fact, the Dominican Republic received but \$190,000 in this transaction, for which it was ultimately to repay \$7,000,000! Approximately this represents borrowing money at 140% interest per annum; a very good investment from the standpoint of Hartmont and Co.!

The other important event of the last Baez administration was the attempt to get the United States to annex Santo Domingo. Approved by a plebiscite (conducted by the Baez administration) the project was taken up by President Grant, of

the United States. One will scan the pages of the *Foreign Relations* in vain for information about the beginning of this transaction, which almost added the Dominican Republic to the United States. The reason is not far to seek: Grant never bothered to consult the Department of State. One Fabens, a concessionaire in Santo Domingo, was in Washington talking up annexation for the reason that concessionaries usually talk up such measures. Grant listened, and having listened, he called to him one of his numerous erstwhile army friends, General Babcock, who occupied a sinecure as "assistant private secretary to the President." Babcock, without consulting the State Department, went down to Santo Domingo to look over the situation. The next thing official Washington knew, Babcock was back with a Treaty of Annexation, all signed, sealed and delivered, and wanting only the consent of the United States Senate to make Santo Domingo a part of the United States. The Secretary of State, Hamilton Fish, could do nothing but gasp at this high-handed dealing with matters which should have come under his care. Grant proposed to his cabinet that they go ahead with the matter at once. A stony silence met his proposal. Finally, the Secretary of the Interior broke out, "But, Mr. President, has it been settled that we want Santo Domingo?" Grant could do nothing but shift his cigar and change the subject.³ The rest of the story is well known; how Senator Sumner, chairman of the Senate Committee on Foreign Relations, attacked the treaty and Grant and Grant's office-holding relatives, and how the treaty was killed, and how Grant tried to resurrect it by doing belatedly what he should have done at first, viz., sending a properly equipped and appointed commission to report on Santo Domingo, and how even after that report Santo Domingo was not taken by the Senate,—this story can be found in the printed records.⁴ Suffice it to say that the Republic of North America which twice had the Dominican Republic in its grasp, *with the consent of the Dominican Republic's accredited representatives*, simply refused to take it. That is hardly the record of a Prussia, whatever the motives may have been.

³ J. B. Cox (the Secretary of the Interior) *Atlantic Monthly*, lxxvi, 164.

⁴ *Report of the Secretary of State in Regard to San (sic) Domingo*, (1871) and the *Report of the Commission of Inquiry to Santo Domingo* (1871).

But the poor Dominican Republic was now condemned to more years of anarchy and dictatorship, with more of that wild financial mismanagement which has brought Santo Domingo to her present position. Since the original war of independence there had grown up in Santo Domingo a generation which could only look upon war and revolution as a normal state of affairs, and regard a successful revolution as a normal method of election. Baez gave way to a new dictator, General Ulises Heureaux, a full-blooded negro, a patriot, politician bandit, and horse-thief. In 1887 he began that régime of enforced peace such as the Republic had not known for a long time. But it was a peace of terrorism, for Heureaux was probably the most ruthless, the most autocratic, the most tyrannical of all the Dominican despots. In his administration came another of those remarkable pieces of financial manipulation which delivered the Republic into the hands of its creditors. The Dutch firm of Westendorp and Co. floated a loan for Heureaux and protected itself by organizing and taking over the management of the customs houses. This was a good arrangement, but it was based on nothing stronger than the legal and moral rights of the Amsterdam bankers, rights which did not go very far in the land of revolutions. The result was a default in payments which charged up another account to be settled in the future. Meanwhile Heureaux was harried and harassed, like all Dominican presidents, by political conspiracies which had to be bought off or crushed—and either process required money. Yet at the same time he was dunned by insistent creditors, who were the very persons to whom he had to look for further advances. His methods were necessarily arbitrary, and he was fond of saying that he didn't care what history said about him, as he wouldn't be here to read it. Some New Yorkers organized the Santo Domingo Improvement Co., which attempted, after 1892, to handle the finances of the republic. This kept things going for a while, as the Improvement Company took charge of the collection of the customs duties and administered that branch of the civil service so as to get the most out of it. But the reckless waste, frightful inefficiency, and gross mismanagement, graft and corruption of the Dominican officials went on as before. The Santo Domingo Improvement Co. was in the

position of a careful creditor who had no more to do than keep carefully his side of his accounts against a reckless debtor. Under its administration there were more bond issues, more suspensions of payments, more issues of worthless paper. Heureaux turned in desperation to such medieval methods as forced loans and debasement of the coinage, which were the mile-stones of the downward path.

But this is not the whole story of the financial chaos. The debt was only in part funded, and a large floating debt kept accumulating. It increased with every revolution, successful or unsuccessful, which entailed more veterans to pension, more enemies to buy off, more "generals" to whom blackmail must be paid, greater destruction of foreign property to be paid for, more arms and ammunition to be paid for, more "friends" to be mollified by graft and kept in line by regular payments from the national treasury. In addition there arose the amazing system of "bonuses," by which the payment of a claim to a friend of the government would be doubled by way of "bonus." Interest rates were usurious to the last degree, and of course as the Republic's credit was lowered, the interest rates were higher. Heureaux's assassination in 1899 found the Dominican Republic in an almost inconceivable state, not merely of bankruptcy, but of helplessness.

Two rivals now took the field, Juan Isidro Jimenez and Horacio Vasquez. During a lull in 1901, the former attempted to begin a liquidation of debt, as the French and Belgian bond-holders of the Westendorp loan were beginning to get insistent. In 1903 the claims of the United States creditors were made the subject of formal arbitration and the amount was designated which should be paid in satisfaction of the Santo Domingo Improvement Co. In the same year the Spanish and German claims, as well as the Italian, were settled as far as the amount due was concerned. Now the Dominican Republic was in the position of duly acknowledging its indebtedness to at least five nations; but there was absolutely nothing in the treasury with which to meet such perfectly good bills. In 1904, 72% of the country's income went into the maintenance of its military establishment, while the pensions, blackmail and civil service expenses gobbled up the little

that was left. Had anyone suggested that what the Republic needed most was education, there was the obvious reply, where was the money to pay for the little red school house?

But the European governments now became clamorous; if the United States could take care of its nationals, why should they neglect theirs? If the customs houses were the key to the situation, the obvious thing was to seize the customs houses until the debts were paid. In 1905 the Dominican Republic faced the prospect of having each of the five customs houses administered by a different foreign nation.⁵ Under these circumstances it is difficult to blame any one of them alone for wishing to deprive the Dominican Republic of its independence. But the Monroe Doctrine, in so far as it protects Latin American Republics at all, was certainly pertinent in the case of European nations that were quite accustomed to using the device of seizing customs houses as an entering wedge to territorial acquisition. Moreover, the Latin Americans themselves had formulated a new Doctrine, the Drago Doctrine, which was directly in point in the matter of the Dominican Republic. Does a creditor state have a right in international law to intervene in a debtor state for the collection of a debt? The expression "creditor state" should be understood to include a state whose citizens held bonds or other evidences of indebtedness issued in behalf of the debtor state. Can default in payment of such bonds be made a cause for armed intervention? The Drago Doctrine, embodying the official view of the Argentine Republic, is based on two principles of international law: (1) the doctrine of the equality of states, as in Marshall's dictum, "Russia and Geneva have equal rights," and (2) the right of states to exercise territorial jurisdiction over their own soil. Both are inevitably violated by intervention. "The collection of loans by military means implies territorial occupation to make them effective, and territorial occupation signifies the suppression or subordination of the governments of the countries on which it is imposed." For these reasons, concludes the Drago Doctrine, "Contracts between a nation and a private individual, are obligatory according to the conscience of the sover-

⁵ *Foreign Relations: 1905*, p. 298-300.

eign, and may not be made the object of compelling force; they confer no right of action contrary to the sovereign will."⁶

In this situation, President Roosevelt decided that the Monroe Doctrine would prohibit the interference of Belgium, France, Italy and Germany in Santo Domingo. But having decided this, he had to devise some way for getting them paid. His first move was obviously in accord with the Drago doctrine as well as the Monroe Doctrine. But how were the Europeans to be paid? Seventy years of Dominican independence counted twenty-three successful revolutions, and in each revolution the customs-house was the pawn of the game. The Westendorp arrangement suggested the way out: let the United States handle the Dominican customs houses. Roosevelt sent J. H. Hollander, of Johns Hopkins University, to make a study of the situation, and Hollander's report must ever remain one of the chief sources of our information on the whole subject.⁷ His other articles and writings only make more clear why there has occurred what has since resulted. If the Dominican administration continued, the debt would never be paid off. Then why not give the Republic a few years of honest administration?

At this point one must master thoroughly a characteristic of Dominican psychology, which made it practically impossible for the Dominican Republic to set its own house in order. One must not think of the Dominicans as a nation of illiterates who are incapable of managing a financial transaction. This is by no means true. There are a great many able and enlightened men in the Dominican Republic, and on the whole there are a great many industrious and well meaning people. There is that disinclination to work which one meets elsewhere in the tropics, but this does not make it impossible for them to do any business at all. What is needed is merely sincere and whole hearted coöperation on the part of the leaders, and this is exactly what the Dominican temperament and psychological equipment will not furnish. Among Anglo-Saxon peoples the subjects of religion and politics are topics upon which people

⁶ *House Doc. 1, 58th Cong. 2nd Sess.*, 2-3.

⁷ J. H. Hollander: *A Report on the Debt of Santo Domingo*; (1905) and his articles in *Quar. Journal Econ.*, xxi, 405, and *Ann. Amer. Acad.*, xxx, 93, and the *Clark Univ. Addresses* for 1914.

long ago agreed to live and let live. But this is not the case in Santo Domingo. If you are a Republican and I am a Democrat in the United States, we can at least play together in a national emergency. But not so in some of the Caribbean Republics; if you are of an opposite political party, you are simply beyond the pale and I won't associate with you. It seems to be out of the question to get the leaders to lay aside hatred for the sake of a business adjustment. Hence politics in the Dominican Republic cannot be a question of voting and speechmaking, but must be a question of riot and revolution. No better illustration can be found than the remark of an old lady of Cibao to Judge Schoenrich when she said, "Two revolutions ago, my eldest son took a gun and went into politics." Such a phrase is illuminating.⁸

On this troubled situation Roosevelt brought to bear his interpretation of the Monroe doctrine. "On one hand," said he, "this country will certainly decline to go to war to prevent a foreign government from collecting a just debt; on the other hand, it is very inadvisable to permit any foreign power to take possession, even temporarily, of the customs houses of an American Republic in order to enforce the payment of its obligations; for such temporary occupations might turn out to be a permanent condition of occupation. The only escape from these alternatives, may at any time be that we must ourselves undertake to bring about some arrangement by which so much as possible of a just obligation shall be paid." In other words, the United States would not act as a dog in the manger, and if it forbade others to take the only possible steps for the collection of their debts, it must itself see that they were paid. It is difficult to see how such a conclusion can be practically avoided. Certain Latin Americans may, and do say in reply, that the obvious alternative is to let the debt go uncollected, to let the Latin republic create all the disturbance it desires in its own house, and let foreigners be warned and keep away. Such a solution only still further betrays the mentality of the ancient régime with which the world has to deal. For although the fifteenth century might try to practice that doctrine, yet a modern world in which the failure of

⁸ O. Schoenrich: *Santo Domingo: A country with a Future*, (1918) p. 328.

a crop in Australia or Nebraska causes misery in Lancashire, has simply passed far beyond the possibility of thinking in such terms. Nations are economically interdependent, as every day's papers bring in additional evidence, and no nation, however small, can practically be a law unto itself. So Roosevelt's administration brought about the arrangement whereby the United States was to act as the receiver in bankruptcy for the Dominicans, applying 45% of the receipts to the Dominican Republic and 55% to the benefit of creditors. When this arrangement was finally put into operation, "on the forty-five per cent basis the Santo Domingan Goverment received from us a larger sum than it ever received before when nominally all the revenue went to it."⁹

When the Dominican Convention came before the Senate for its approval, there was strenuous protest. What constitutional warrant was there whereby the President should commit the United States to act as a receiver in bankruptcy for another nation? Senator Rayner of Maryland denounced the whole policy and said of the backward Latin American Republics; "I would let them realize that they must perform the obligations of a civilized society, and that if their property is rightfully seized upon their failure to do so, we do not intend to intervene, unless an attempt is made to subvert their institutions. . . . We repudiate the doctrine that the flag follows a contract." Therefore let the European nations seize the Dominican Customs Houses, and let the Dominicans suffer the just and ignominious punishment for their wild speculations and mismanagement. Senator Tillman, of South Carolina, denounced our new policy on the ground that the United States was saying to Santo Domingo, "Here we are, your big brother; you are not behaving right, you have got to settle and if you do not settle, we will whip you and make you settle." The opposition to the President's policy was so emphatic that the Senate adjourned without ratifying the treaty, and left the President in an awkward situation. But the resourceful Roosevelt promptly called the treaty an "executive agreement," proceeded to put it in force, and declared that he would keep on enforcing it that way until the Senate did ratify it.¹⁰

⁹ T. Roosevelt; *Autobiography*, ch. xiv.
¹⁰ Cong. Rec. 59 Cong. 1st Sess. Vol. 40, 798-9; 1174-5.

As for the constitutional right of the President to do such a thing, Roosevelt took this position: "The Constitution did not explicitly give me power to bring about the necessary agreement with Santo Domingo, but the Constitution did not forbid my doing what I did." As far as international law was concerned, the whole affair was perfectly legal because it was the result of a treaty in which the Dominican Republic expressly gave the United States the right to act as its receiver in bankruptcy. Even if there be some question as to the validity of that treaty based on the circumstances surrounding its consummation, intervention is a process not unknown to international practice.¹¹

The result in Santo Domingo was magical. The customs houses being no longer available as loot for a revolution, the revolutions diminished. Trade and commerce began to improve, domestic production increased by leaps and bounds, and peace and quiet reigned throughout the republic. With increased commerce came increased revenue to the state and the debts began to be paid off. The American financial agent had gone over the debt so rigidly that he had been able to scale it down from \$30,000,000 to \$17,000,000. "Scaling down" is merely another term for throwing out fraudulent claims and making an adjustment with the creditors. Paying off a debt of \$17,000,000 is no herculean task in these days, and the whole history of the Dominican Republic seemed to have entered a new era. The old debt was practically cancelled, and a surplus accumulated which was set aside for public works. The United States Senate sulked in its tent for two years and finally ratified what the President had done in a slightly changed form. The Convention, as finally ratified, provided that after the expenses of receivership had been paid, the Receiver should pay \$100,000 a month to a fiscal agent in New York for the benefit of the creditors. Moreover, an article was inserted in the treaty which provided that the Dominican Republic should not increase its public debt except by consent of the United States.

¹¹ Speaking of this Dominican intervention P. M. Brown remarks: "Whether it be characterized as an abatement of nuisance, as a measure of self-defence or as a service to mankind, intervention in many cases be characterized a legal measure of self-redress." *Amer. Jour. of Internat. Law*: xi, 398.

After 1907, when the Senate finally ratified the treaty, it began to look as if Dominican ills were on the mend. But even by such measures the disease of such long standing could not be cured in a few days or even a few years. After three years of successful management, another revolution broke out and the old chaos came back again. But this time the customs houses did not furnish the sinews of war. The prosperity due to the American administration of the customs houses had given internal trade such impetus as made available other sources of revenue besides foreign trade. These were now employed for the civil strife which lasted from 1911 practically down to 1916.

Although the United States continued the efficient administration of the customs houses and prevented the revolutionary forces from interfering with the settlement of the debt, still it became apparent that this civil strife might easily put the country back into the mire from which it had just come. In the Convention of 1907 there had been a section which provided that "the Government of the United States will give to the Receiver and his assistants such protection as it may find requisite for the performance of their duties."¹² With another revolution imminent in 1916, the patience of the American government was at last exhausted. The prospect presented two alternatives: either the United States could stand by and watch the Dominican Government enmesh itself further in domestic trouble with the consequent destruction of life and property, additional danger of foreign complication in the harm to foreign European interests, or else the United States could send its own troops into the country, quell the revolt and start the governmental machinery going again. So with the consent of the President of the Dominican Republic and under the clause in the treaty which gave the United States the right to protect the Receiver and his assistants, the United States marines in 1916 conducted a campaign in behalf of the *de jure* government against the revolutionist leader. There is no use of disguising this action under soft words. It was intervention of the plainest type. Strictly speaking, one may say that since the troops were invited to land, the interference was

¹² Malloy, *Treaties and Convention*, I, 420.

not contrary to the will of the Dominican Government. But one would want to know by whom the marines were invited to land and whether it was done by his own free will, for President Henriquez has insisted that neither the Treaty of 1907 nor any other treaty ever gave the United States any right of supervision over, or interference in, the political life of the Republic and his own abdication was in protest against the action of the United States Government. The fact is that President *de jure* Jiminez had just been overthrown and had asked the Americans to land in the face of a *de facto* revolutionary government.

A new treaty was then negotiated, the principle features of which were the collection of the customs duties under American auspices, the appointment of an American financial adviser, and the establishment of a constabulary force officered by Americans. To this President Henriquez refused to accede on the ground that it destroyed Dominican independence, and thereupon Admiral Knapp of the United States Navy, acting under Article III of the Treaty of 1907, declared Santo Domingo under the military administration of the United States, from which thralldom the Dominicans are now asking a release. Under the American administration the finances were properly taken in hand, salaries paid, bandits instead of being bought off were suppressed, and arms in the hands of private persons, potential revolutionists, were confiscated. But the administration of this kind of thing must necessarily be left to subordinates, and there apparently the trouble came. What is the difference between a bandit and a patriot under the American rule? Are military persons such as top-sergeants always gentle when disarming civilians?¹⁸

The effect of the American administration is perfectly clear from the reports of the various bureaus of the United States Government which have the business in hand. There is little question but that the Americans are exercising autocratic powers; it seems equally clear that this has been very

¹⁸ In support of this and the preceding paragraph the reader is referred to *Santo Domingo: Its Past and Present Condition* issued by the Military Government of Santo Domingo in Jan. 1920 and to Dr. Henriquez's contentions as set forth in the International Relations section of the *N. Y. Nation*, cx, 312; G. Marvin in the *World's Work*; xxxiv, 205.

For the Latin-American attitude see J. Lopez in *La-Reforma Social*, xvii, 240.

good for the Dominican Republic, particularly from the stand-point of improving her commerce and educating her citizens. "One of the two so-called universities will be suppressed and efforts will be made toward reducing illiteracy rather than providing for the needs of a limited class of students in professional and literary subjects." This may sound harsh, but after all, progress in education is measured by a small illiteracy percentage rather than by the existence of a few very notable but very unrepresentative scholars, such as the Dominican Republic unquestionably possesses. Another important fact is the unwillingness of the military administration to be rushed off its feet by the proposals of promoters who imagined that under the new régime they would reap a golden harvest of concessions, without safe-guarding the interests of the Dominicans from exploitation by foreigners.¹⁴

But there is one thing which has not been made clear, which seems likely soon to come to light. That is the alleged lack of humanity and good taste exhibited by the American authorities and their subordinates. It is this which is bringing the Dominican question into the light. In the meantime, if any good can come of calling this relationship a disguised protectorate of the United States, that term is probably as good as any. The old assumption that any group of people were qualified to operate a constitutional government and were therefore qualified for full membership in the family of nations, seems to have received too many negations in late years for anyone glibly to assert it. If this experiment by the United States stands, an experiment which is only one of several among our present diplomatic problems and only one of many in the world at large, it is high time that the theories of sovereignty found in the law books were brought a little more into accord with the facts of a new world. For what many Dominicans seem to be asking is not immediate independence, but that the United States show a little more consideration for Latin American susceptibilities, and a little more charity in dealing with the wayward children who need patience and time to go to school.

¹⁴ *Annual Report of the Dominican Customs Receivership*. Esp. that of 1919, p. 4. *Annual Report of the Military Governor of Santo Domingo*. June 30, 1919, p. 4.

William Henry Ruffner: Reconstruction Statesman of Virginia

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I

The year 1920 marked the semi-centennial of the opening of the public schools in Virginia under the administration of William Henry Ruffner. In 1870 as now the problems of the day were problems of reconstruction. Since 1861 Virginia had seen both conquest and revolution. The new constitution and the special covenant under which the state had just returned to the Union constituted in effect a treaty, the intent of which was to render secure the results of the conquest and to fortify the processes of the revolution.¹ Most significant among the treaty's terms, to which effect had to be given through laws, institutions and customs, were the provisions for public education and the plan for protecting and developing an inferior race through education and suffrage. The story of the working of the suffrage provision is one of dismal failure. That the educational experiment proved a blessing to both races was due primarily to William Henry Ruffner, the "Horace Mann of the South."

Of direct and conscious preparation for his educational work Mr. Ruffner had practically none. He was born February 11, 1824, in Lexington, Virginia. From Washington College he received the B.A. degree in 1842 and the M.A. in 1844. After courses in theology at Union Seminary, Va., and Princeton and a period of two years as chaplain and student at the University of Virginia, he settled in 1851 as pastor of the Seventh Presbyterian Church of Philadelphia. Compelled to resign in 1853, the next sixteen years found him farming and preaching, rather irregularly, to the small churches of his native valley. If to this account we add his marriage to Har-

¹ Cf. Pearson, *Readjuster Movement in Virginia*, ch. 2. The bibliography of this book includes the bibliography for this paper. Particular reference, however, should be made to the voluminous collection of papers left by Mr. Ruffner in the hands of his son-in-law, Mr. R. F. Campbell, of Asheville, N. C., who very kindly placed them at my disposal. Unless otherwise indicated this study is based on these papers or on Mr. Ruffner's *Annual Reports*.

riet Gray, of Rockingham, the outstanding events of his first forty-five years have been chronicled.

None the less, during these years Ruffner was being fitted well for what was to be his great task. Heredity and early environment were favorable. Into the upper Valley of Virginia, the nation's first "melting pot," had come the westward moving English pioneers and southward-bound Scotch-Irish, along with a sprinkling of Germans. Some of them had passed on, but others had remained and mingled, generation after generation, with varying predominance of strain. Limestone water and bracing mountain air had made them tall, large limbed, vigorous. Of the best type were the Ruffners, all large men, German in the origin of their name, but Scotch-Irish in their intellectual independence, and English in their practical common sense. These characteristics were, accordingly, William Henry Ruffner's birthright.

Out of the Scotch-Irish instinct for education had early sprung Augusta Academy, built solidly out of the abundant native rock. With the Revolution it had become Liberty Academy, and the village around, Lexington. After a small gift from the admired Father of his Country, Liberty Academy became Washington College. But regardless of passing influences, the school had at all times been primarily the training ground for young Presbyterians of moderate means and good family. On its faculty was Henry Ruffner, the father of William Henry; later he became its president. Close by was another educational institution very significant for him who would understand the politics of our middle period, the Virginia Military Institute. Thus Lexington was a cultural center. In Franklin Hall its most eminent citizens read papers and debated to a decision the burning issues of the day; and since these were men of strong convictions and of wide and clannish connections in both the aristocratic east and the democratic west, their discussions and decisions were often of practical political consequence. In this work Henry Ruffner was a leader, contributing a very famous pamphlet on slavery and fathering a significant movement for public education. And the young Ruffner, busy as he was with classical studies and enticed into imitation of his father's occasional verses, re-

sponded to this stimulus to thought on social questions. Of his first three public efforts, one dealt with the importance of education, one with slavery, and one with the settlement of international disputes through a congress of nations.

From Lexington young Ruffner went first for a year (1842-1843) of business experience to the Kanawha country, as manager of his father's salt works.

Capital, he wrote his father from this developing country, was very poorly employed in the east while it demanded a high price in the west; one might reap a tidy profit by playing broker. But his instinct for business was not to have immediate play; instead he must seek theological training in the east. Of this seminary work at Union Theological Seminary and Princeton we have little knowledge, save such as may be inferred from a single sermon, well written, well reasoned, but to the modern mind heavy and dull. Apparently he himself counted as more valuable his course in Moral Philosophy at the University of Virginia under Professor W. H. McGuffey. Dr. McGuffey, he afterward declared, "converted my faculties into common-sense," and between the two thereafter existed a genuine, Presbyterian friendship such as Ruffner rarely felt for other men. One would like to think that the young chaplain also attracted the attention of John B. Minor, the University of Virginia's great law teacher; but this can only be conjectured from the readiness with which Professor Minor later came to his aid.

The University of Virginia of that day would hardly be influenced by a preacher of twenty-six years. But Ruffner must have displayed ability, for from there he went to the Philadelphia charge. One may fancy that life in a large northern city was illuminating to the village preacher. But one must guard against the modern tendency to assume that the countryman of that day was backward in his knowledge of important happenings. We know that he was not immune to the liberal intellectual influences of Philadelphia. Particularly valuable was the strong friendship which he formed with Stephen Caldwell, whom he frequently called "the economist," man of wide and correct historical reading and rather unusual insight into such problems as the free negro presented and was to present. On

the other hand Ruffner must have been able to help Caldwell, for he knew his father's view and activities in the matter of slavery. As long ago as his Kanawha year he had formulated and published ideas of his own from which he never receded. Slavery, he had written anonymously in the *Kanawha Republican*, was neither dishonorable nor contrary to God's Word, but it was an economic burden, and on that account should be gotten rid of. Later he had served as agent of the Colonization Society in carrying negroes from Christiansburg to Baltimore for deportation to Africa. Later still he had taken part in organizing and teaching a Sunday school for negroes in Lexington, a work in which Stonewall Jackson succeeded him after an interval. And now he could bring from the Mecca of the South's future rulers first-hand knowledge of opinion then in the making.

Soon, however, came ill health—a nervous affection of the throat, it seems. From the city pastorate Ruffner retreated to Rockingham County where he seems to have sunk into the work of occasional preacher as easily as he had taken up a colporter's task on leaving the Seminary six years before. One cannot easily live in the Valley without becoming a farmer, so fertile is its soil and so genial its climate. Possibly at Washington College Ruffner had attended lectures on Agricultural Chemistry—for such were given, the first in America, it has been claimed. At any rate he soon became not only a "practical" farmer but also a "scientific" farmer. From farming chiefly he derived his livelihood, and years later his "Tribrook" farm was one of the show places of Lexington, whither he returned in 1863. And never did he lose faith in Valley agriculture: even in 1891 he could write in *Suggestions for my family*: "Land will increase in value, and farming become more profitable." During these years, too, he became interested in the geological formations of the state, and many are the little note books that he filled then and later with first-hand observation. Characteristically, he attempted to put this knowledge to practical use, and one finds among his papers records of more than one commercial venture of his own and several stout volumes prepared for important corporations or the federal government. But this work was done chiefly after his superintendency. The most import-

ant immediate result of these pre-war days was the restoration of his health and a widening of his acquaintanceship. And only in the light of his varying activities at this time can we understand how responsible men could a little later speak so confidently of his business sense and executive powers.

The test of loyalty to one's own people imposed so rigorously during the Civil War and Reconstruction Ruffner met satisfactorily and yet with dignity. It was Lincoln's call for troops, he told Stonewall Jackson, that converted him, as so many other Virginians, to secession. Following the accepted custom for ministers, he remained at home and did his bit by visiting the distressed, writing letters to the front, gathering food and clothes for the armies, joining the Home Guards, and at least once preaching a sermon on the obligation of the oath of allegiance. During Congressional Reconstruction he shared the intense indignation of Professor John B. Minor over the "infamous Catilines at Washington." But he probably never joined the passive resistance group. Instead, after a decent interval and a brief anonymous re-assertion of the rightfulness of secession in the *Charlottesville Chronicle*, he dropped for good and for all the legalistic attitude of the South's old leaders, urged participation in national life, and set himself to study the state's practical problems. Once more debate was resumed in Franklin Hall. On the question, "Is it advisable for the state of Virginia, at this time, to adopt a system of Public Free Schools?" Ruffner took the negative, his side winning twenty-seven to none. Less than a year later, April 6, 1867, he championed the affirmative of the query, "Ought Virginia to adopt measures for the education of the colored people?" and again his side won, sixteen to six.

Embedded in the Virginia constitution of 1870 were provisions for the usual feature of a modern school system. This was revolutionary. For in the long run its meaning was to be democracy for the whites and opportunity for the blacks through the agency of an increasingly socialized state. Most of the accustomed leaders of the whites, however, envisioned the revolution in the light of the conquest. To them there was at best a "system prescribed by the constitution," or "this system of common schools which has been thrust upon us." And

the great mass of the whites, still stunned and apathetic, agreed. On the other hand some leaders felt with Mr. Ruffner that education ought to be provided, and by the state, for the negroes, so pathetic in their eagerness for schools and so ludicrous in their expectations. Moreover, the constitution was mandatory, and the governor insistent. Not from choice, therefore, but from necessity would the legislature take up early in 1870 the election of a state superintendent of public instruction, which was its first duty under the constitution. In recognition of the situation the *Educational Journal of Virginia* had been founded, and it perhaps reflected the best public opinion when in February, 1870, it said: The new superintendent must be "alive to . . . changes wrought by the war, and yet not a man to surrender in homage to that fashionable deity of New Virginia and purely material prosperity, all our time honored memories."

For this position Mr. Ruffner became a candidate in the fall of 1869. Though without technical training or experience in public education, he was not poorly equipped. He was, as we have seen, a minister; and the ministry and education had always been closely allied. His education was broad, his experience varied, his inclinations social. His record during Civil War and Reconstruction was satisfactory. From his letters of recommendation we learn that his belief in public education was sincere but tempered with the proper caution for the times. Especially prized and valuable was a letter written by Prof. John L. Campbell and signed by R. E. Lee, stating the belief that he "will give the system a fair and honest trial, and that he will be most competent to make what may be good in it available for the interests of education, and to suggest promptly such alterations and amendments as future experience may point out as desirable." Armed with this letter and with testimonials from such men as John B. Baldwin, J. William Jones, A. Leyburn, Edward L. Joyner, and William Preston Johnston, Mr. Ruffner invaded the state capital and enlisted the aid of friends and relatives there. Fortunately politicians were not much interested in the position. And so in the Conservative caucus "the Southwest, Richmond and the Valley carried me through," and the Legislature confirmed the nomination, 141 to

1, on March 2, 1870. "This is a jejune life I am leading," Ruffner wrote his daughters about this time, "but my conscience rests easy under it. My work is a great one—and I must about it."

The statesmanship of the new superintendent quickly received its first test. Under the constitution it was his duty to "report to the general assembly within thirty days after his election a plan for a uniform system of public free schools." This was no slight task. For to succeed, the system must be simple enough to be workable in the hands of an untrained force and yet so sound in principle and so flexible in detail as to admit of continuous development as conditions improved. Selection and adaptation rather than originality were obviously demanded. But which of the existing systems was best? And what adaptations were necessary to meet conditions peculiar to the South and the education of negro freedmen in mass? On these questions the slight antebellum experience of the southern states and the recent brief work of the Freedmen's Bureau shed but little light. Fortunately, the constitutional provisions were admirable. Fortunately, too, Dr. Barnas Sears, their inspirer and perhaps their author, was accessible. In his capacity as agent of the Peabody Fund Dr. Sears was proclaiming, "Free schools for all, neither more nor less." A New Englander who had been president of Brown University and secretary of the Massachusetts state board of education, he was soon to become a "citizen of Virginia" and to be recognized as such by general acclaim. To him Ruffner now turned for much technical advice and from him learned how to avoid division and dissension by letting some things work themselves out. Best of all, perhaps, Prof. John L. Minor, of the University of Virginia, tendered help. For Professor Minor was very learned in the law, knew the strength and weakness of his fellow Virginians, and was willing to give to the "cause," as he sometimes called public education, disinterested services whose value has not yet received adequate public recognition. Possibly Ruffner was unconsciously aided also by impressions derived from his father's plan of twenty years before, though he had not seen that plan for years.

But the enlistment of Sears and Minor, complimentary as it was to the discretion and good standing of Mr. Ruffner, did

not relieve him of the burden of the work nor of the responsibility for its quality. Elected March 2, by March 25 he had prepared a general outline or "Report," thus satisfying the constitutional requirement. "The main features," he said in presenting this document, "are either such as the constitution requires, or such as have been favorably tested by long experience in other states and countries. Doubtful questions have, as far as possible, been postponed to future considerations." Between March 30 and April 18 he drafted the law at his home, then took it to Minor "who during all this week. . . . devoted all possible time to the work of revisal." On April 24 Ruffner wrote his wife that he and Minor finished the "re-drafting at half past two. And as we were so pleased with our work, and so with each other, we chatted on until 4. Had it not been Sunday morning we should have continued until breakfast time. Tomorrow I go to Richmond with the best and most finished school law in America and I shall see that it is not butchered by the Legislature." From May 13 to July 8 the bill was before the Legislature. Fortunately members were much interested in other things. The House made few changes. The Senate cut the pay of county superintendents and "otherwise mutilated the system," Ruffner reported in temporary disgust. At the critical moment Governor Walker threatened not to sign because he understood prepayment of poll taxes was required of parents; but, wrote Ruffner in glee, "it wasn't there!"

(To BE CONCLUDED)

Rossetti Studies IV: Rossetti as Translator*

ALBERT EDMUND TROMBLY
University of Texas

"A little wild bird sometimes at my ear
Sings his own little verses very clear:
Others sing louder than I do not hear.

For singing loudly is not singing well;
But ever by the song that's soft and low
The master-singer's voice is plain to tell.
Few have it, and yet all are masters now,
And each of them can trill out what he calls
His ballads, canzonets, and madrigals.

The world with masters is so covered o'er,
There is no room for pupils any more."

(Early Italian Poets—Anonymous ballata).

It is almost commonplace to assert that good translations of poetry are perhaps even more rare than poetry itself. The truth is that to be a good translator, one must be a poet; and poets—at least ours—rarely devote much of their efforts to translation. They are so rapt in their own dreams that they look upon translation—if they condescend to it at all—as a thing to be done when inspiration for other work is lacking. Yet translation is not to be utterly despised, for it requires greater versatility and is far more difficult than is generally suspected. It is for this reason that we have so few first-class translations. We have some in which the foreign verse has been more or less successfully imitated; others in which the flavor of the original has survived; but very few in which both are to be found, and fewer still which make English poetry. The reasons for these conditions are varied. In the first place the prosody of the one tongue may differ radically from that of the other; secondly poets are forever striving for the "mot juste," a thing which is of the very essence of the language and virtually intranslatable; and thirdly where atmosphere, that quality so dependent on the suggestive power of words, is to be rendered, the difficulties become almost insurmountable. Consequently, almost the worst

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that can be said for verse translations—and it is constantly said, as if it were a praiseworthy feature—is that they have been done in the original metres. Rarely, very rarely, you will find a writer who can make not only a metrical translation, but also a translation which is poetry. Rossetti is one of these.

In the preface to *The Early Italian Poets* he says: "The life-blood of rhymed translation is this—that a good poem shall not be turned into a bad one;" and it is for this very reason that those of us who have no access to Persian, for example, are not much concerned with the original of the Rubaiyat: we are satisfied that Fitzgerald's translation is a magnificent poem in itself. So with Rossetti's translations; he has not only done justice to the originals, he has even improved upon them at times. In an endeavor to make his book comprehensive and really representative of the early poetry of Italy, he has included much which is of an inferior quality; but though the source be indifferent, the translations are always well done and make us wonder at the patience and enthusiasm of the translator. Of poets before Dante, there are very few—Fazio degli Uberti, Franco Sacchetti, and a half a dozen others in an occasional poem—who were worthy of the translator. As to the "Vita Nuova," it is by far the best thing in the book. Since the first appearance of Rossetti's volume in 1861, that little book of Dante's has been translated many times; but the reader who would catch the spirit of Dante, and yet must forego the original, must go to Rossetti. Here the affinity of the two poets, Rossetti's love and understanding of Dante, his love of woman, his ability as poet, and his skill in catching and reproducing the spirit and letter of the original have made his the unmatched translation.

"Poetry not being an exact science, literality of rendering is altogether secondary. . . . I say literality—not fidelity, which is by no means the same thing." But read his translations, and you will be surprised not only at their fidelity, but also at the remarkable degree of their literality. Comparisons are rarely sane or justifiable; but with the original as a definite starting point and the endowing of a fresh nation "with one more possession of beauty" as a goal, it is possible to measure the translator's achievement with his aim. There-

fore, it will perhaps be profitable, and at least not altogether amiss, to compare Rossetti's with the translations of others. Here, for example, are the original, Byron's rendering, and that of Rossetti.

"Quando risposi, cominciai: 'O lasso,
 Quanti dolci pensier, quanto disio
 Menò costoro al doloroso passo!'
 Poi mi rivolsi a loro, e parlai io,
 E cominciai: 'Francesca, i tuoi martiri
 A lagrimar mi fanno tristo e pio.
 Ma dimmi: al tempo de' dolci sospiri,
 A che e come concedette amore,
 Che conoscete i dubbiosi desiri?'
 Ed ella a me: 'Nessun maggior dolore,
 Che ricordarsi del tempo felice
 Nella miseria; e ciò sa il tuo dottore.
 Ma se a conoscer la prima radice
 Del nostro amor tu hai cotanto affetto,
 Farò come colui che piange e dice.
 Noi leggevamo un giorno per diletto
 Di Lancillotto, come amor lo strinse;
 Soli eravamo e senza alcun sospetto.
 Per più fiate gli occhi ci sospinse
 Quella lettura, e scolorocci il viso;
 Ma solo un punto fu quel che ci vinse.
 Quando leggemmo il disiato riso
 Esser baciato da cotanto amante,
 Questi, che mai da me non fia diviso,
 La bocca mi baciò tutto tremante:
 Galeotto fu il libro e chi lo scrisse!
 Quel giorno più non vi leggemmo avante.'
 Mentre che l'uno spirto questo disse,
 L'altro piangeva sì che di pietade
 Io venni men, così com' io morisse;
 E caddi, come corpo morta cade."

(Inferno V, 112-142)

(Byron)

" . . . 'Alas! unto such ill
 How many sweet thoughts, what strong ecstacies,
 Led these their evil fortune to fulfill!
 And then I turn'd unto their side my eyes,
 And said, 'Francesca, thy sad destinies
 Have made me sorrow till the tears arise.
 But tell me, in the season of sweet sighs,

By what and how thy love to passion rose,
 So as his dim desires to recognize?"
 Then she to me: 'The greatest of all woes
 Is to remind us of our happy days
 In misery, and that thy teacher knows.
 But if to learn our passion's first root preys
 Upon thy spirit with such sympathy,
 I will do even as he who weeps and says.
 We read one day for pastime, seated nigh,
 Of Lancélot, how love enchan'd him too.
 We were alone, quite unsuspiciously.
 But oft our eyes met, and our cheeks in hue
 All o'er discolour'd by that reading were;
 But one point only wholly us o'erthrew;
 When we read the long-sigh'd-for smile of her,
 To be thus kiss'd by such devoted lover,
 He who from me be divided ne'er
 Kissed my mouth, trembling in the act all over.
 Accursed was the book and he who wrote!
 That day no further leaf we did uncover.'
 While thus one spirit told us of their lot,
 The other wept, so that with pity's thralls
 I swoon'd as if by death I had been smote,
 And fell down even as a dead body falls."

(Rossetti)

"When I made answer, I began: 'Alas!
 How many sweet thoughts and how much desire
 Led these two onward to the dolorous pass!'
 Then turned to them, as who would fain inquire,
 And said: 'Francesca, these thine agonies
 Wring tears for pity and grief that they inspire:—
 But tell me,—in the season of sweet sighs,
 When and what way did Love instruct you so
 That he in your vain longings made you wise?'
 Then she to me: 'There is no greater woe
 Than the remembrance brings of happy days
 In Misery; and this thy guide doth know.
 But if the first beginnings to retrace
 Of our sad love can yield you solace here,
 So will I be as one that weeps and says.
 One day we read, for pastime and sweet cheer,
 Of Lancelot, how he found Love tyrannous:
 We were alone and without any fear:
 Our eyes were drawn together, reading thus,
 Full oft, and still our cheeks would pale and glow;

But one sole point it was that conquered us.
 For when we read of that great lover, how
 He kissed the smile which he had longed to win,—
 Then he whom naught can sever from me now
 For ever, kissed my mouth, all quivering.
 A Galahalt was the book, and he that writ:
 Upon that day we read no more therein.
 At the tale told, while one soul uttered it,
 The other wept: a pang so pitiable
 That I was seized, like death, in swooning fit,
 And even as a dead body falls, I fell."

Byron's translation is not to be despised, though it has hardly been faithful to the verses of Dante. It lacks the simplicity and the delicate pathos of the original and quite misses the tone of it. And in spite of the fact that Byron claims to have done the passage "into *cramp* English, line for line, and rhyme for rhyme," it is quite evident in such verses as these that he has not been literal.

"What strong ecstacies
 Led these their evil fortune to fulfill!"

Then, too, he has too many inversions and too much which smacks of Pope and the eighteenth century. But I have already pointed to the chief reason why he did not do justice to the original: it was too fine, too delicate for his rather crude hand. He was much better fitted for Pulci's *Morgante* than for the *Francesca* episode.

Now if we turn to Rossetti's translation we shall see that in the very first tercet we have what is virtually a word for word rendering, and throughout the passage is keyed to Dante's pathetic note and never once goes false. It is this very quality of fidelity, not only to the body, but also to the soul of the original, that makes Rossetti excel as a translator. Byron is struggling with a metre which clearly is too much for him, while Rossetti takes it surprisingly easily. What of good there is in Byron's translation is Dante's; but in Rossetti's there is nothing which makes us feel that it is a translation. It has passed through the fibre of his personality and bears the stamp of it. If one objected that Byron's version was likewise stamped with his personality, then I would say, "So much

the worse for Byron; this is only one proof more of how ill-fitted he was to translate Dante."

One wonders why anyone should need or dare translate Villon's *Ballade des Dames du Temps Jadis* after it had once been done by Rossetti; and he wonders still more when he reads Andrew Lang's translation. Lang's facile verse could hardly have been less suitably employed anywhere. See, for instance, whether this stanza of Lang's does justice to Villon.

"Nay, tell me now in what strange air
 The Roman Flora dwells today.
 Where Archipiada hides, and where
 Beautiful Thais has passed away?
 Whence answers Echo, afield, astray,
 By mere or stream,—around, below?
 Lovelier she than a woman of clay;
 Nay, but where is the last year's snow?"

"Dictes-moy où, n'en quel pays,
 Est Flora, la belle Romaine;
 Archipiada, ne Thais,
 Qui fut sa cousine germaine;
 Echo, parlant, quand bruyt on maine
 Dessus rivière ou sus estan,
 Qui beauté eut trop plus qu'humaine?
 Mais où sont les neiges d'antan!"

Do you think, for example, that

"Nay, tell me now in what strange air
 The Roman Flora dwells today"

says what Villon says in

"Dictes-moy où, n'en quel pays,
 Est Flora, la belle Romaine"?

That "what strange air" is some distance away, to be sure, from "n'en quel pays!" And do you get in "Lovelier she than a woman of clay" even the clay of "Qui beauté eut trop plus qu'humaine?" This is being neither literal nor faithful to the spirit of the original. But consider Rossetti's stanza.

"Tell me now in what hidden way is
 Lady Flora the lovely Roman?
 Where's Hipparchia, and where is Thais,
 Neither of them the fairer woman?"

Where is Echo, beheld of no man,
 Only heard on river and mere,—
 She whose beauty was more than human?
 But where are the snows of yesteryear?"

Here surely is the voice of a master interpreting that of another. Take Lang's best verse, "Nay, but where is the last year's snow," and it is trivial and choppy when compared with "But where are the snows of yesteryear." Then in Rossetti's

"Where's Hipparchia, and where is Thais,
 Neither of them the fairer woman"

we have a splendidly suggestive interpretation of Villon's

"Archipiada, ne Thais
 Qui fut sa cousine germaine"

one in which he makes the women's kinship one of beauty. Hipparchia is Thais' first cousin in beauty, that is, she is her equal, or as Rossetti puts it

"Neither of them the fairer woman."

The "envois" of the two translators need only be put side by side, without comment.

(Lang)

"Prince, all this week thou need'st not pray,
 Nor yet this year the thing to know.
 One burden answers, ever and aye,
 'Nay, but where is the last year's snow?'"

(Rossetti)

"Nay, never ask this week, fair lord,
 Where they are gone, nor yet this year,
 Except with this for an overword,—
 But where are the snows of yesteryear?"

In the last of the three major stanzas, where the poem's poignancy reaches its climax in

"Où sont-ils, Vierge souveraine,"

Lang dawdles with his easy rhymes and takes no notice of this supreme cry, while Rossetti renders it thus admirably,

"Mother of God, where are they then?"

Enough of comparisons; but before leaving Villon let me call my reader's attention to Rossetti's admirable rendering of a verse from the *Lay ou plustost Rondeau*.

"Deux estions, et n'avions qu'ung cuer"
"Two we were, and the heart was one."

In the translation of Villon's ballade and the Francesca episode we have veritable "tours de force." Surprisingly literal, entirely faithful, they are splendid pieces of English poetry. I know of but one translation which can move and delight me as does the original, and that is Rossetti's version of Villon's ballade.

I have said little enough of *The Early Italian Poets*, but that little may be enough. The book contains Rossetti's version of the *Vita Nuova*, and that in itself should make it worthwhile. The pity is that more of the poets represented were not worthy of their translator—he who gave himself to them with such sympathy, enthusiasm, and self-effacement, as only a great artist could give. In his preface he says. ". . . I know that there is no great stir to be made by launching afresh, on high seas busy with new traffic, the ships which have been long outstripped and the ensigns which are grown strange;" and those memorable words may perhaps be answered in those of a scholar who said that many of us owe our first love of Italian poetry to Rossetti's beautiful book. In his translations, as in his original poetry, he showed that rare good sense which led him to select what was best suited to his beauty-loving, melancholy, and contemplative genius; and to this recognition of his power and limitations, his art—including his translations—owes much of its merit.

Sainte-Beuve on Fiction

EMERSON GRANT SUTCLIFFE

Minneapolis, Minn.

Suppose you were Sherlock Holmes, investigating the murder of a critic. (Why aren't more critics murdered, I wonder?) Suppose you wished to ferret out as swiftly as possible those elements in the victim's character as critic which reveal his character as a man. Where should you look? If you were Sherlock, you would begin, astutely, with his criticism of fiction.

In the first place, you would find suggested there all his general critical ideas. You would be aware of the maxim: Tell me, critic, what kind of novel you like, and I will tell you your whole critical theory. The maxim fits Sainte-Beuve, greatest of critics, as we shall see; and significantly it is in the essay on Balzac, novelist, that Sainte-Beuve collects quotations which, as he says, express "axioms I believe essential in all art, in all literature."¹

In the second place, not only would you become familiar, through the late critic's tests of the novel, with his general critical apparatus, but you would also be impressed with the sufficiently obvious fact that behind and controlling the critic is the man. You would go on to realize that in a critic's, a man's, ideas about fiction one finds suggested more than his critical code; one discovers the man himself. For, assuming that it is possible to distinguish between the humanness of types of literature, fiction is certainly most human, most personal in its material and effect; and, therefore, in a critic's reaction to fiction, he will allow himself, more than elsewhere, to be influenced by personal considerations.

Some such process of investigation I have applied to Sainte-Beuve. He is an apt subject for such a study if only because he, great critic, once wrote a rather bad novel, *Volupté*. Howell says somewhere that every man, out of the materials of his life, is capable of writing at least one book. Mr. H. G. Wells, in his preface to *The Gay-Dombeys*, Sir Harry Johns-

¹ *Causeries du Lundi 2, M. de Balzac.*

ton's animated album of later Victorian diplomacy, society, and colonial exploration, gives voice to a similar theory inevitably suggested by the work before him, as well as by his own fictional predilections. Every business man with the courage to set down his own experiences honestly, he asserts, has it in him to turn out one novel of merit, if not distinction. And it is Sainte-Beuve's belief that "every young person who, in his youth, has lived a life of emotional storm and stress, and who would dare to write simply what he felt,"² is a potential writer of that kind of novel which Sainte-Beuve classified as the *roman intime*. This is an artistic and somewhat hidden form of autobiography, of confession. Such fruit of idealized observation is, for example, *La Princesse de Clèves*, which, Sainte-Beuve shows, is a direct result of Madame de La Fayette's relations with La Rochefoucauld.³ Such is, in intention at least, *Volupté*, about which Sainte-Beuve said, when asked why he did not continue to write fiction: "Why do I not do more with the novel? Writing a novel for me was only an indirect method of loving, and saying so."⁴ The result is a stupidly elongated, strange, turgid record of Sainte-Beuve's love for Madame Hugo and two other women, and of his bestially romantic and mystically fleshly approach to Christianity. It has but little interest to-day save for the prier into Sainte-Beuve's amatory divagations or religious incapacities. Dully revolting as it is, it is a psychological novel of the type that one would expect from a critic, an analyst, a student of the human and the physiological.

A more pleasing approach to the man Sainte-Beuve is through a consideration of his theory of fiction. This theory, which he does not put forth by itself or in any one place, I have pieced together from the critiques of novelists in the various *Lundis* and *Portraits*. Though the material is of diverse dates, the theory is not too inconsistent, even leaving out of account Sainte-Beuve's change of bias from romanticism to classicism. I find him, for instance, in 1832 pointing out in his at that time idolized Hugo exactly the same fault he discovers in *Madame Bovary* in 1857. But better than any consistency,

² *Portraits contemporains 1*, George Sand.

³ *Portraits de femmes*, Madame de La Fayette.

⁴ *Cauqueries du Lundi*, Table, Notes et Remarques.

better than the theory itself—which is in most ways conventional enough—is the fact that between the lines one discerns the complex lineaments of the none too likeable Saint-Beuve physiognomy.

In regard to fiction, Sainte-Beuve is a realist. Not an unqualified one, as will presently appear, but one at least in the sense that he believes observation of life to be the foundation of the novel. The *roman intime*, by its very nature, goes pretty directly to personal material; but this is hardly the highest type of novel. From it, Sainte-Beuve says, “to the creative and magical gift of the Le Sages, the Fieldings, the Prevosts, and the Walter Scotts, there is evidently an infinite distance; on one side the real, the particular case, the historian still filled with himself, who interests by a faithful and animated reproduction; on the other, the diversity of combinations, the fecundity of ideas, a whole world of creatures to create and express.” But the basis is the same, fundamentally, in either case. The difference is that the novelists mentioned have given us “reality at the same time transformed and recognizable; the universe. . . . and man, in the hands of art and genius.”⁵

The demand for realism is but what might have been looked for from a critic, like Sainte-Beuve, practising historical and scientific methods. Such a critic seeks in the novel the reflection of the author’s experience and of his time—and what he seeks, he likes. So Sainte-Beuve thought it fortunate that Balzac “considered the nineteenth century as his subject,”⁶ and in a review of George Sand’s *Lelia*, he expressed the hope that she would “return to the novel of real life.”⁷ *Manon Lescaut*, he declares, is “true with that truth which has invented nothing and is wholly copied from nature. If there is art, it is impossible to tell where reality ceases and fiction begins.”⁸ A sufficient proof that, given a test and an admiration, it is possible to reconcile them in the most unlikely places, is furnished by his comment on *Paul et Virginie*. He finds this “gracious pastoral” realistically satisfactory because “to the graces and plays of infancy does not succeed an ideal and fabulous

⁵ *Portraits contemporains* 1, George Sand.

⁶ *Causeries du Lundi* 2, M. de Balzac.

⁷ *Portraits contemporains* 1, George Sand, *Lelia*.

⁸ *Causeries du Lundi* 9, *Le Buste de l’Abbé Prevost*.

adolescence."⁹ What a blow here for those who had thought Booth Tarkington's *Seventeen* true to adolescence!

But even those of us who consider *Paul et Virginie* insipid glucose too long drawn out, can at least agree with Sainte-Beuve that it is infinitely superior to Chateaubriand's *Atala*. Sainte-Beuve frequently complained of the unreality of the tales of Chateaubriand, of the forced, morbid melancholy which is characteristic of the *homme incompris* as he appears in the Byronic romance of the period. From the point of view of the realist there is, however, a playful palliation for such fiction. If the novel was not true at the time it was written, it soon becomes so because of its influence on society.

Such is the sufficiently ordinary law in the reciprocal influences between the painter and his models: the novelist begins, he touches the quick, he exaggerates a little; society considers itself bound in honor and acts; and it is thus that what might at first have appeared exaggeration finishes by being nothing more than *versimilitude*. . . . People furnish their homes a la Balzac.¹⁰

So *Childe Harold* and *Don Juan* created many Byronic poseurs, and George Sand, in inventing Indiana and Lelia, caused many women to "vie seriously" with them. Many of Eugene Sue's characters are realistically proper "in the sense that they have, at least transiently, models or copies in contemporary society."

I recall having been the witness, one evening in a house of the best company, of a real domestic drama, decidedly unpremeditated, which justified all those of Dumas. A judge told me that having been obliged to cause the arrest of a married woman who was flying with her lover, he was able to draw out at the interrogatory only some pages of Balzac which she recited to him word for word. At the time of D'Urfé, a German society set itself to live in the manner of the shepherds on the Lignon. One may always say. . . . O life! and O Menander! which of you two has imitated the other?¹¹

Here is a suitable place to reiterate the suggestion that a fictional theory reveals the critic and the man, for, on the same fact observed by Sainte-Beuve, it is possible to cite Ralph Waldo Emerson's comment. The comparison is significant. Sainte-Beuve's expression of his observation to me indicates a cynical

⁹ *Ibid.* 6, *Bernardin de Saint-Pierre*.

¹⁰ *Ibid.* 2, *M. de Balzac*.

¹¹ *Portraits contemporains* 3, *Eugene Sue*.

and at the same time truth-loving spirit; I see in it the qualities of mockery and fairness which he attributed to his model critic, Boileau. Emerson's words, on the other hand, indicate the optimistic moralist:

So much novel-reading cannot leave the young men and maidens untouched; and doubtless it gives some ideal dignity to the day. The young study noble behavior; and as the player in *Consuelo* insists that he and his colleagues on the boards have taught princes the fine etiquette and strokes of dignity which they practise with so much effect in their villas and among their dependants, so I often see traces of the Scotch or French novel in the courtesy and brilliancy of young midshipmen, collegians, and clerks.¹²

I envisage only partial portraits from studying this example of two men's opinion regarding the same fictional fact, but I feel confident of such features as I do imagine.

Another instance of the critic and man brought out in his criticism of fiction is discoverable in the rigidity of Sainte-Beuve's application of the test of realism to that kind of novel which least often can stand it—the historical romance. De Vigny's *Cinq Mars* he thinks deficient in historical accuracy, and he reproaches Sue for his failure to show the body of the age of Louis XIV, its form and pressure. In Latréaumont Sue "forgets too often," he declares, "the singular atmosphere of this reign and the universal inspiration which was breathed there."¹³ Himself an authority on the period, he demands that even the diction of the speeches of the characters should be historically correct in every particular. Nor is he less severe in regard to topography: he requires an exact reproduction of the landscape.

The historical novelist must not only be a thorough scholar; he must derive the spirit in which he works from a peculiar appreciation of the time which he is trying to represent. Sainte-Beuve does not say so explicitly; but almost inescapably, if one continues logically from what he does say, a historical novel can be written only by a native of that country in which the scene is laid.

The historical novel supposes necessarily a gathering of information, of moral traditions, of contributions of all sorts arriving to us, as if through the air, across successive generations. Walter Scott, the master

¹² *Society and Solitude, Books.*

¹³ *Portraits contemporains 3, Eugène Sue.*

and true founder of the historical novel, lived in his Scotland a few centuries, a few generations distant from the events and characters whom he has retraced for us with so much life and truth. Tradition or legend surrounded him; he was imbued with it. . . . He was able, thanks to the genius of old times which he had so well heard and divined, to return once or twice with success as far back as the remote centuries of the Middle Ages.¹⁴

"There is, however, an unbridgeable gap between us and antiquity." Flaubert, Sainte-Beuve says, failed in *Salammbô*, his Carthaginian romance, both on account of the lack of historical material and also because neither he nor his readers had any appreciation of or sympathy with such a dim and distant past. Yet a few years ago, *Salammbô* furnished material for a spectacular movie, *Cabiria*, how accurate historically one can, like its producer, only guess.

In the demands Sainte-Beuve makes on the contemporary and the historical novel, he is a realist; but there are at least two kinds of realists. The particular classification which I have in mind is made on the assumption that a novelist is realistic even if, in the course of his work, he comments on his characters and their actions: Fielding and Thackeray, for instance. Sainte-Beuve favors the other kind of realism, that practised by Howells and some Russian novelists, having its result in novels in which the facts are allowed to speak for themselves. Of *Madame Bovary* he says: "The work is completely impersonal; this is a great proof of force."¹⁵ In another place he advises:

Efface yourself from the picture which you offer; put there in your place natural characters who speak and act in their own free way; do not intervene between them and us; like Walter Scott and Cooper, disappear in order to paint better.¹⁶

Even Doctor Watson might justifiably infer, since Sainte-Beuve does not believe that the novelist should give free rein to his individuality, that he himself is a classicist. And a classicist he is, among other things, but chiefly. Having accepted this wild surmise, one might go one step further and assume that, like most classicists, he is a moralist. And as a matter of fact, his reason for believing in the impersonality of the realistic novel

¹⁴ *Nouraux Lundis* 4, *Salammbô* III.

¹⁵ *Causieries du Lundi* 13, *Madame Bovary*.

¹⁶ *Premiers Lundis* 1, Ferdinand Denis.

is that, in his opinion, it is likely to have a moral effect. Pithily, he says of *Gil Blas*: "The book is moral like experience."¹⁷ No chorus is needed to point out that this reproduction of life is an object-lesson. Teacherless and preacherless though he be, he who reads must learn and be improved. Furthermore, the moral effect of the realistic novel will be greater if, flatteringly, the author allows his reader to draw his own conclusions.

One should forget the purpose often, one should never discuss it; then, at a certain moment, as after a sweet and captivating sojourn with happy friends, the reader should feel himself change, converted by their virtuous happiness and wishing to merit it.¹⁸

As a classicist and a moralist, Sainte-Beuve favors aloofness not only in the author's expression of opinion on the actions of his characters, but also in style. Complete reticence cannot be secured unless the tone of the author in describing an emotional situation is calm, impassive, quiet; there must not be an attempt in the language of description to reproduce agitation, passion, tumult of the feelings. Sainte-Beuve has no objection to a certain efflorescence in style, but he protests against that which he finds in Balzac, "a delicious corruption, a style which abandons itself to the fluidity of all movements."¹⁹

From a classical and moral point of view, too, there is a value in the compression, the shortening of scenes which may titillate the prurient. In this respect, at least, "a book, after all, is not and should not be reality itself. There are points in which description, in prolonging itself, betrays the end, I do not say of the moralist, but of every severe artist. I know that even in those most risqué and daring places the sentiment of M. Flaubert remains very bitter and ironical; the tone is never tender nor guilty of complicity; fundamentally, nothing is less tempting. But he has business with a French reader born maliciously clever, who employs this shrewdness whenever he can."²⁰

Brevity in dealing with the delicate situation is one limitation to the realism of the novel; there are others more important. Sainte-Beuve colors his realism with idealism. He favors the accomplishment which he discovers in *La Princesse de Clèves*,

¹⁷ *Causeries du Lundi* 2, *Le Sage*.

¹⁸ *Premiers Lundi* 1, Hippolyte Fortoul.

¹⁹ *Causeries du Lundi* 2, *M. de Balzac*.

²⁰ *Ibid.* 13, *Madame Bovary*.

the conciliation of observation with idealizing. Sainte-Beuve was a creature of his time, and his time was romantic. Thus we are prepared to find, most of all in his criticism of fiction, how his tastes conformed to those of his period. He admired the "adorable and truly simple" tales of Xavier de Maistre, and relished the "genuine simplicity" of Manzoni's *Betrothed*,²¹ and of *Paul et Virginie*. He has a fondness for the novel in which natural scenery, though, of course, accurately described, plays a romantic part. He enjoys George Sand, Cooper, Saint-Pierre.

The romantics have something, too, which the realist needs, since some mixture of the ideal is necessary to give the impression that the truth has been told; to prove that the mirror has been held up to a typical section of nature, that life has been seen not only steadily and precisely, but also whole. *Gil Blas* and *Madame Bovary* are weak because they lack that "ideal and moral elevation" which is "rare. . . . often assumed," but frequent and genuine enough "not to be left out in a complete picture of humanity."²² In *Madame Bovary*, no one person represents the good. "The truth, to seek it only, is not entirely and necessarily on the side of evil, on the side of fatuity and human perversity. In these lives of the provinces, where there are so many quarrels, persecutions, petty ambitions, and trivialities, there are also good and beautiful souls, still innocent, most pure and calm; there are shame, resignation, devotion through long years; who of us does not know examples?"²³

Some limitation of realism in the way of idealization is demanded, also, by the classicist in Sainte-Beuve. In the novel as elsewhere there must be observed the golden mean. Flaubert, the model realist, would profit if he were subject to an "inspiration not finer, but more softened, more sanely natural, and more serene." Sainte-Beuve denies Stendhal's theory of love-passion, the exaltation in the novel of the satisfaction of the animal instincts if only the accompanying emotion seems noble. From this species of "animal malady" one comes back to the true French genre; "one demands a modicum of reason, of sane

²¹ *Ibid.* 9, M. de Stendhal.

²² *Ibid.* 2, Le Sage.

²³ *Ibid.* 13, *Madame Bovary*.

emotion."²⁴ There must not be too much tumult and shouting of the feelings; the truth should bow, in its representation, to the laws of "conduct and temperance."²⁵

A third reason for the inclusion of the ideal has its source, not so much in Sainte-Beuve the critic, as in Sainte-Beuve the man. The realist is likely to arrive at the conclusion that he should believe in nothing very enthusiastically, that a cynical, ironic view is the proper one, especially in regard to human nature. Le Sage, says Sainte-Beuve, "had very well observed a fact which other moralists have equally remarked: what is perhaps most characteristic in men taken in the mass is their baseness and dullness. . . . He knows that humanity, in changing its condition, will change only the form of its foolishness."²⁶

And this is Sainte-Beuve's own attitude. Should, then, the novelist allow his cynicism to be reflected in his choice of character and situation? To some extent, but never so that the effect is savage. In this respect Hugo erred in *Notre-Dame*²⁷ and Flaubert in *Madame Bovary*. Flaubert, Sainte-Beuve says, leaves a terrible moral for the reader to draw. But, he apostrophizes him, "Why deserve that people should say to you: 'Moralist, you know all, but you are cruel?'. . . . Is the office of art not to admit any element of clemency and sweetness under the excuse that it is not true?"²⁸

If for nothing but artistic reasons, the novelist should have an irony, likely that of Le Sage, rooted in good nature. Then he will be more likely to create characters as successful as Gil Blas, who, Sainte-Beuve says, "totally unlike Rene, is you, is I, is everybody," and hence, "in spite of his vices, interesting still and likeable."²⁹ The great artists, the Shakespeares, the Moliéres, who knew the bad also, have never expressed it "in. . . . refinements of exceptions,"³⁰ or represented human nature "degraded by indefinable passions, urged on to crime by an indefinable, objectless vertigo."³¹ Such portrayal is not only "an insult, a perpetual affront to the eternal and sacred laws of

²⁴ *Ibid.* 9, M. de Stendhal.

²⁵ *Portraits contemporains* 1, George Sand, Lelia.

²⁶ *Causeries du Lundi* 2, Le Sage.

²⁷ *Portraits contemporains* 1, Victor Hugo (Romans).

²⁸ *Causeries du Lundi* 13, Madame Bovary.

²⁹ *Ibid.* 2, Le Sage.

³⁰ *Portraits contemporains* 3, Eugène Sue.

reason,"³¹ but it is an offense against art. The mere fact that the character exists is not an excuse for painting it if it is not reasonably typical. "This does not mean that good more than evil forms the foundation of human life; all is only confusion and mixture. Not only is evil at the side of good, but one often issues from the other. However, art has been given us precisely to aid in getting away from that which is confused, to set things in their proper perspective, to adorn and cover with more or less amusing frescoes the walls of the prison."³²

And if life makes the novelist bitter, he is not therefore justified in giving his readers vinegar to drink mingled with gall. Sainte-Beuve would have no place for such a production as Ibsen's *Ghosts*. "Suffering and crying out, hating what one has just read," is not "a result of art."³³ One may have within oneself concentrated observations as if in a state of poison; but delay and be attentive a while, you distinguish its colors; and it is the colors which one offers to others, keeping the poison for oneself. Philosophy can be arid and deleterious, art ought never to be. Even while remaining faithful, it clothes and animates all; there is its magic; it is necessary for one to say; it is true—and yet it is not."³⁴

To be durable, cynicism, the companion of the man who sees life just as it is, must wear the cloak of illusion. In the midst of miseries and passions, men like Le Sage and Fielding have preserved "a nonchalant or mocking neutrality."³⁵

The young writer, already touched by bitter irony, would like to grasp the whole truth, to say all the evil which he guesses at, to proffer it to the face of heaven and society with disdain and anger. Later, advancing in years, one sees that one cannot say enough, that the bottom always escapes, that it is useless to try to get hold of too much. Then one relaxes; one consents, after having said much, to envelop oneself if one can, in grace, in a sort of ideal illusion. See the *Colomba* of Mérimée; all the irony there is veiled and become as if verginal.³⁶

³¹ Premiers Lundis 1, Le Vicomte d'Arlincourt.

³² Portraits contemporains 3, Eugène Sue.

³³ Causeries du Lundi 13, Madame Bovary.

³⁴ Portraits contemporains 3, Eugène Sue.

³⁵ *Ibid.* 1, Victor Hugo (Romans).

³⁶ Portrait contemporains 3, Eugène Sue.

We have come pretty close to the man Sainte-Beuve. Like himself his theory of fiction is complex, catholic, a blend of romantic and classic, of conscience and cynicism—even if the conscience be only artistic. An ironic classicist tinctured with an idealism sometimes mawkish, sometimes morbid, sweetly sane only where the larger problems of art are involved. Is this a true portrait? Do you understand, perhaps, why *Mona Lisa* smiles?

The Historical and Personal Background of Shelley's Hellas

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Shelley's *Hellas* has been widely and justly praised by many critics for the beauty of its fine choruses. Otherwise, except for an occasional reference to it as another example of Shelley's great tendency to idealize or his preoccupation with the tyrants and the liberators of humanity, the poem has generally been somewhat neglected by critics. Shelley's own modest judgment of it as "a mere improvise" and "a lyrical, nondescript piece of business" has been allowed to stand. Nor is it the purpose of this paper to challenge Shelley's verdict. Certainly the poem is of negligible worth merely as drama, and even as Greek drama it suffers considerably by comparison with its prototype, the *Persians*, of Aeschylus. About the only regrettable result of this critical neglect is that the relation of the poem to Shelley's idealizing tendency and to the great Shelleyan theme of liberty has never been adequately realized. A glance at Shelley's attitude toward ancient and modern Greece, together with a comparison of the events related in the poem with the actual history of the Greek war of independence, may not contribute any new facts to our knowledge of Shelley, but should certainly help establish a clearer perspective of criticism for the poem.

When Shelley wrote *Hellas* in 1821 and requested his publisher to hasten publication in order to take advantage of the popular interest in Greece, the Greek Revolution was still unaccomplished. The Greeks were temporarily successful. The Khedive of Egypt had not interfered to crush the Greeks, and the allied fleets of England, Russia and France had consequently not yet felt the necessity of establishing Greek independence—by crushing the Khedive and the Sultan. Prince Mavrocordato, that white-souled champion of liberty to Shelley and "miserable, shuffling coward" to Trelawny, who had been hob-nobbing with the Shelleys in Italy and blowing up the fires of Shelley's Hellenism, had gone to fight against Turkish oppressors and

compatriot grafters, and Shelley was left with only meagre and unreliable "newspaper erudition" on which to base his plot. Shelley called the play "a mere improvise," and any reader who has reached a similar conclusion independently may see that there are reasons for this criticism in the exterior facts—though most of Shelley's other plots, being mere improvises also, suggest that there must be an additional reason in Shelley himself. Shelley is sometimes acute in his self-criticism, and there is justice in his prefatory statement that the poem derives its interest "solely from the intense interest which the author feels with the cause he would celebrate." When the Shelley Society tried to stage the play in 1887, this interest was no longer a live one. The President of the United States was no longer departing from neutrality to express to Congress his hope for Greek success; revolutionary committees in foreign countries were no longer collecting funds and building battleships for the Greeks; Byron's manful and unsuccessful efforts were a stale story; foreign adventurers and idealists had long since ceased flocking to Greece with visions of the great Lafayette before them; and the heroic death of Marco Bozzaris had been relegated to declamation contests. No wonder, then, that the poet's intense sympathy has fallen too coldly upon the ears of more placid and materialistic times to conceal the fact, candidly admitted by Shelley in the beginning, that the poem is "merely a series of lyrical pictures." These pictures themselves, examined in the light of history, are rather visions than pictures, and throw a more accurate light upon the author than upon the scenes they were designed to present.

Shelley's "newspaper erudition" is embodied chiefly in the reports of the messengers, after the dramatic manner of Aeschylus. The Janizaries are hopefully reported as being turbulent and disaffected. This was probably true; it was the normal state of Janizaries; but it did not affect their fighting powers sufficiently to give this factor any significance in the outcome of the struggle. The Russians are reported as on the eve of intervention, but they held their liberal inclinations admirably in check for six years after Shelley wrote. The naval victory which Shelley so glowingly describes was apparently

based entirely on rumor—and Aeschylus; and the Greek military successes reported, even when real, were ephemeral.

When Shelley attempts to develop his scanty information into detailed pictures, he wanders pathetically from the facts as established by cold-eyed history. The campaign of Ipsiſlanti in Wallachia in 1821 is the only possible historical basis for Shelley's battles on land. As Hassan describes the battle in Hellas,¹ the Turkish artillery instantly put the Greek auxiliaries to flight, but half of the Greeks

"Made a bridge
Of safe and slow retreat with Moslem dead."

The others, "surrounded by victor myriads," formed in hollow square, beat off three successive attacks, pierced the Turkish line three times, sustained a devastating artillery fire, and died finally with heroic defiance, preferring death to slavery. Finlay² and Gordon,³ both standard authorities, tell the story differently. Ipsiſlanti had 6500 men and four pieces of artillery. The Turkish force of 800 men holding Dragashan was to be caught between a force posted in their rear and the rest of the army, which was to attack in front. Caravias, the commander of this latter force, was both drunk and headstrong, and advanced to the attack with only his own cavalry, 500 strong, and the Sacred Battalion, a picked body of four or five hundred men. The Turks attacked, the cavalry fled, and the Sacred Battalion, fighting bravely, was cut to pieces before it could form squares. A complete rout of the whole army followed. Ipsiſlanti fled and escaped into Austria. This concluded a campaign marked throughout by lassitude, timidity and incompetence, open fraud and forgery on the part of Ipsiſlanti, and treachery and intrigue on the part of some of his officers. The Turks had adequate armies in the field, but were represented in this battle by only 800 cavalry, without artillery.

Shelley seems to think that this battle occurred at Bucharest, which Ipsiſlanti had abandoned a month previously. About the only recognizable feature of the battle is the extermination of the Sacred Battalion—surrounded by victor myriads. It can

¹ Lines 361-451. The battle of Dragashan.

² History of the Greek Revolution, Bk. II, Chap. ii.

³ History of the Greek Revolution, Bk. I, chap. i.

easily be seen that Shelley had been forced to ignore and invent a great deal in order to make his Greeks worthy champions of ideal liberty. Under the circumstances, his inaccuracy of detail is of course trifling—was perhaps unavoidable—but his total misconception of the Greeks is significant. This is equally true of Shelley's account of the naval warfare.

The sea-fight which Hassan describes⁴ as resulting so disastrously for the Turks can hardly be identified with any of the naval battles described by Finlay as having occurred in 1821-22. But since it was the result of the Turkish efforts to throw troops into Nauplia⁵ it may be compared with Finlay's account of that incident. According to Finlay,⁶ "the series of naval skirmishes in the Gulf of Nauplia was disgraceful to the Turks and by no means honorable to the Greek navy." The principal combat was a long-range fight between the Greek fleet of sixty sail and the Turkish fleet of eighty, including transports. Both sides were so timid and fired at such long range that no ships were sunk. The only loss sustained by the Turks was one supply ship captured while trying to run into Nauplia, and one frigate, which grappled a Greek fire-ship by mistake. Finlay comments severely⁷ on the incapacity of the Greek fleet, whose principal object, he says, was booty rather than conflict, and which later on in the war actually dispersed because their admiral would promise the sailors only two weeks *advance* pay. Shelley's account of a dashing hand-to-hand engagement, followed by the sinking of many Turkish ships and the flight of others, and resulting in the death of 9,000 Turks, if based on anything later than Aeschylus' description of Salamis, must have had its origin in an erroneous newspaper report. It is more at variance with actual conditions than is his account of the "battle of Bucharest."

It should also be noted, in comparing the real Greeks of the Revolution with Shelley's ideas of them, that the capture of most of the places mentioned by the second messenger was attended with barbarities surpassing anything of which the

⁴ Lines 476-526.

⁵ Line 483.

⁶ Op. cit. I, 366.

⁷ Op. cit., Bk. III, chap. iii.

oppressing Turks had ever been guilty.⁸ Within two months after the war opened the Greeks had endeavored to exterminate the Moslems in Greece and had murdered 20,000 of them.⁹ They made a practice of executing prisoners in violation of solemn oaths and making slaves of Turkish women and children.¹⁰ The surrender of Navarino by the Turks was attended by a treacherous and terrible massacre¹¹ and the Greek capture of Tripolitza was even worse. The ignorance, avarice, turbulence and faithlessness of the Greek chieftains is constantly brought out by the historians. Trelawny, in his *Records of Shelley, Byron and the Author*, bears out the historians when he tells of his own adventures among the Greeks; and Byron's experiences with them were also very disappointing.

But although a comparison with history shows how greatly and pathetically Shelley's idea of the Greeks differed from the reality, it must not be hastily assumed that he was totally blind to their faults. In his preface he admits that the Greeks may have been temporarily corrupted by slavery, but argues that a political change is all that is needed to enoble them. He takes note of the unfavorable opinion of the Greeks expressed by Thomas Hope in his recently published novel, *Anastasius*, but thinks the present generation of Greeks much superior to the Eighteenth Century Greeks presented by Hope. Shelley even takes lofty cognizance of the massacres when he makes the second messenger¹² report that the Greeks have "passed at the edge of the sword" (exquisite circumlocution!).

"Every Islamite who made his dogs
Fat with the flesh of Galilean slaves."

Here is some of the unction of the old Jewish chronicles, and little of the Shelley who consistently deprecated bloodshed by English and Irish radicals.

There were many other radical and liberal idealists in Europe and America who viewed the Greek Revolution as Shelley did, though perhaps with a more discriminating sympathy, just as

⁸ Finlay makes this explicit statement and quotes Gordon as concurring.
Op. cit. VI, 193.

⁹ Finlay, op. cit. VI, 148.

¹⁰ Op. cit. VI, 214.

¹¹ Op. cit. VI, 219.

¹² Lines 549, 547.

there have been similar enthusiastic prophets of the French and Russian Revolutions whose enthusiasm has outrun the events. Yet Byron, who was certainly a political liberal, and who died fighting for the Greeks, had been able to see their weakness years before, when, in his notes to Canto II of *Childe Harold's Pilgrimage*, he deplored the degeneracy of the modern Greeks and admitted that they could never recover their ancient glory, though they might attain some improvement under a European protectorate. Why is it that Shelley so far outruns Byron and the other liberals?

The reasons are personal, and obvious to anyone who has read many of Shelley's poems. Shelley had an idealizing tendency, more in poetry than in prose, that balked at nothing and, once under way, stopped at nothing. His marriage to Harriet Westbrook had been preceded by an idealization of her as a victim of oppression. Elizabeth Hitchener, a country school teacher with a tinge of bourgeois radicalism, was idealized into an angel of light, and when this self-deception would no longer work was re-idealized into the "Brown Demon." If she had formerly been one of the Beatrices of this world to Shelley, it was later evident to him that she had never been anything more than a meaner Count Cenci in reality. She was never at any time an ordinary human being to him. Emilia Viviani became another paragon of perfection; and when her humanity could no longer be doubted, the martyr Keats, Jane Williams, and the Greek race in turn occupied the throne of ideality. "His passion for perfection was so general and so intolerant that it could not express itself in any particulars concerning anything so obviously imperfect as the human race"¹⁸—so Shelley changed his human beings into either angels or demons. In the case of Count Cenci humanity becomes demoniac; in the case of the Greeks, angelic.

Shelley's habit of idealizing is closely connected with the great Shelleyan triangle of Oppressor, Rebel, and Slave. Emilia Viviani was a victim of tyranny, Keats a victim of persecution. Combat with tyranny was the role of all Shelley's poetic heroes and heroines; it had been his own role from the first. He had been a victim of oppression at Eton, and had revolted against

¹⁸ A Clutton-Brock: Preface to Lacock ed. of *Shelley's Poems*, p. XXIV.

the fagging system there.¹⁴ He considered himself the victim of parental tyranny. His early sympathy with the imprisoned Hunt, his attempt to enlighten the Irish, his letter to Lord Ellenborough, his letter on the persecution of Richard Carlile, all reveal his preoccupation in life with the same formula which we invariably encounter in his poetry. "After breakfast walk to Hampstead Heath," runs an entry in the Journal.¹⁵ "Discuss the possibility of converting and liberating two heiresses; arrange a plan on the subject." Such was Shelley's contact with life in the eventful year 1814. Trelawny may have been, as Byron affirmed, a liar, but this entry in the Journal will lend credit to one of his stories.¹⁶ He tells of taking Shelley aboard a squalid Greek trading vessel to convince him that the age of Pericles was dead. "Does this realize your idea of Hellenism, Shelley?" he asked. "No, but it does of Hell," replied Shelley. "Come away. . . . their souls are extinguished by traffic and superstition." Unmistakably, but for the moment only, the metamorphosis of Elizabeth Hitchener into the Brown Demon had been repeated.

In the case of the Greeks, however, there was an additional tendency to idealize. To most of us there are two Greece, the Greece of the ancient world, and the modern Greece. Shelley knew but one of these. His Greece was the Greece of Plato and the dramatists. Hogg¹⁷ remarks upon Shelley's early devotion to the Greek classics and says that "in his short life and without ostentation he had in truth read more Greek than many an aged pedant, who with pompous parade prides himself upon this study alone." "What the Greeks were," wrote Shelley in his *Discourse of the Manners of the Ancients Relative to the Subject of Love*,¹⁸ "was a reality, not a promise. And what we are and hope to be is derived, as it were, from the influence and inspiration of these glorious generations." The period between the birth of Pericles and the death of Aristotle he considered "the most memorable in the history of the world."¹⁹ The *Defense of Poetry*, numerous translations from the Greek,

¹⁴ T. L. Peacock: *Works*, p. 391, 393.

¹⁵ Under date of September 30, 1814. Mrs. J. Marshall: *Life and Letters of Mary Wollstonecraft Shelley*, 1, 90.

¹⁶ Op. cit. 84.

¹⁷ Shelley at Oxford, p. 109.

¹⁸ Forrman: *Shelley's Prose Works*, iii, 244.

¹⁹ Op. cit. iii, 239.

and frequent allusions in his letters show the intensity of Shelley's love and admiration for the old Greece. His familiarity with Greek drama was complete, and his enthusiasm for Plato is not only expressly stated, but is implicit in the effect of Plato upon his thought. It is therefore not to be wondered at that we find Shelley, in the preface to *Hellas*, expressing his devotion to the old Greece and preparing to treat the new Greece as if the old spirit and the old institutions still survived.

"We are all Greeks," says Shelley.²⁰ "But for Greece, Rome, the instructor, the conqueror or the metropolis of our ancestors, would have spread no illumination with her arms. . . . The human form and the human mind attained to a perfection in Greece which has impressed its image on those faultless productions whose very fragments are the despair of modern art, and has propagated impulses which cannot cease, through a thousand channels of manifest or imperceptible operation, to ennoble and delight mankind until the extinction of the race." The modern Greek appears to Shelley as "the descendant of those glorious beings whom the imagination almost refuses to figure to itself as belonging to our kind,"²¹ not as the result of the complicated racial influences following the break-up of the Roman Empire.

We find the results of this worship in both the form and the ideas of the poem. The poem is in Greek dramatic form, modelled, as Shelley himself tells us, upon the *Persians* of Aeschylus, the great drama of ancient Greek victory over the oppressor. It is less dramatic and more purely lyrical than even this most lyrical of Greek dramas, but there are several points of similarity in the use of cumulative tales of woe, verbal resemblances, and the return of Darius and Mahmoud respectively. The choruses, too, have a similar function, but Shelley's chorus, typically, is interested in liberty for mankind fully as much as for Greece, whereas Aeschylus's, innocent of romantic altruism, is wrapped up in Persia's fate, to the exclusion of mankind's. In some of the actual descriptions it is evident that Shelley has not dropped his Aeschylus before taking up his

²⁰ Woodberry: *Shelley's Poetical Works*, iii, 99.

²¹ *Ibid.* Thomas Hope, whose *Athanasius* Shelley had read recently, also views the modern Greek as the authentic descendant of the classical Greek, but he finds the heritage one of vices rather than virtues.

newspaper. A comparison with the *Persians* shows that Shelley's "battle of Bucharest" bears some slight similarity to Aeschylus's description of the land-battle following Salamis—about as much as to any actual battle of the Greek Revolution. Shelley's description of the sea-fight off Nauplia is much nearer to Aeschylus's account of Salamis than to any naval battle in which the modern Greeks engaged. In his description of the fight at close quarters—something the modern Greeks carefully avoided at Nauplia—it is plainly apparent to any one who reads the corresponding passages that Shelley is merely retelling the story of Salamis in terms of modern warfare.

That this exaltation of the ancient Greeks should result in idealizing their successors was inevitable to a man of Shelley's temperament. This would probably have occurred even if there had been no question of human liberty involved. But when the two great enthusiasms of Shelley's life centered in the Greek Revolution, the result was bound to be highly idealized. The extent to which Shelley's sympathy and enthusiasm carried him is evident from the contrast between the Greeks of *Hellas* and the Greeks of the historic revolution. Shelley leaves the earth as naturally and scornfully as his own sky-lark. He soars easily into a realm of thought where "worlds on worlds are rolling ever" and refuses to allow any human weakness to stain the white radiance of his ideal eternity. "The world's great age begins anew," and the inadequacy of the Greek Revolution as its starting-point is totally beyond his comprehension.

Race Legislation in South Carolina Since 1865

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PART I. 1865-1869

With the surrender of Lee at Appomattox and the consequent collapse of the Confederate Government, the elaborate codes regulating negro life, labor, and society collapsed. With the ratification of the Thirteenth Amendment by the requisite three-fourths of the states, December 18, 1865, eight months after Lee's surrender, the final legal barrier to the already *de facto* freedom of the negro was removed.¹ The negro was no longer a slave; now all the zeal of the victorious was to be used to give him the rights and privileges that the great Declaration of Independence promised all men. The great epic struggle between the champions of slavery and equality had apparently closed with victory in the hands of the champions of the cause of the latter. Momentarily a great dogma, backed by a great victory of force and by unparalleled enthusiasm, had triumphed over the hard fact of practical race inequality. The question of the weary days of post-bellum reconstruction was: Will the victory for black social and political equality be permanent?

As concerns South Carolina the initial phase of this conflict in peace was the famous Black Laws, or "Code," enacted by the State Legislature in 1865 immediately after the demise of the Confederacy and the tentative resumption by the state of its old position in the Union. Lack of unity as to the policy to be pursued incident to the great victory and the slow working of the machinery of democratic government gave the old order in South Carolina a brief tenure of less than three years of power and an opportunity to try its hands at reconstruction. The problem was to establish the industrial, civil, and legal status of the larger half of the population. The new legislature of 1865, owing to the urgent domestic necessity of adjusting the freedman to a *free* society, attacked the problem with a

¹ Stephenson, *Race Distinction in American Law*, p. 401.

hasty and blind resolution. The result was the two Black Laws of 1865. What were the contents of these laws?

In recognition of the Constitution of the United States and the new state constitution under which the legislature met, it was declared that "slavery and involuntary servitude, except as a punishment for crime, shall never be reestablished in this State." Then a preliminary act "to establish the relations of persons of color" was passed. Such persons were defined as those of more than one-eighth negro blood. While the negro's lack of social and political equality is distinctly stated, his status as a freedman is clearly recognized as inalienable. Further, the old slave code was declared null and void and the freedman was given the right of acquiring, holding, and selling property, of making contracts and enjoying all the privileges, obligations and remedies of the law.²

The first section of the black laws declares those having lived together as man and wife under slavery to be man and wife in law, regardless of formal or lack of formal marriage. This was necessitated by the almost lack of formal marriage life under the old conditions, and the failure of the slave code to give a civil status to negro unions. The legitimacy of all children born under slavery was established. No apprentice was to marry without his master's consent and marriage between persons of different races was prohibited.³

"Benefit of Clergy" was denied to negroes guilty of wilful murder, criminal assault, and other common law crimes. The law against insurrection and house breaking—a natural failing of a race without property—was given special emphasis.⁴ A negro was declared to be a competent witness only in cases involving his own color.⁵ Local magistrates were to be sole judges in small cases involving blackmen and were to be especially responsible for the conduct of the negroes in their respective communities.⁶ Any white person present at an alleged breach of the law on the part of a negro was enjoined to make the arrest; a white person could only complain to the

² Acts S. C., 1865, No. 4730.

³ *Ibid.*, No. 4733.

⁴ *Ibid.*, pages 272 et seq.

⁵ *Ibid.*, No. 4733.

⁶ *Ibid.*, No. 4733.

magistrate of an alleged infraction of the law by a person of his own color. Of course, the fact that the negro had no such powers against white malefactors was not considered necessary to deny.

For a black man to keep a fire-arm, sword or other military weapon, except by permission of the district judge or local magistrate, was unlawful. A weapon unlawfully kept was to be seized and sold by the judge; a fine (of twice the value of the weapon) or corporal punishment was to be imposed on the guilty negro.⁷ The right to carry arms by the white man of that day was considered a sacred right. Indeed the northern observer of the present is puzzled over the inconsistency of the present day South Carolina freedom allowed both races in purchasing and carrying deadly weapons.⁸

Section XXII of the statutes of 1865 required that negroes, on their removal from another state into South Carolina, must within twenty days give a bond executed by two freeholders as a guarantee of good behavior. On failure to do so the local judge was required to issue a warrant demanding that such persons leave the state. Failure to obey authorized corporal or other punishment considered suitable by the court. A second disobedience of the order to depart meant life banishment or five years at hard labor.⁹

Under no circumstances was a South Carolina negro to be owner or part owner of a distillery or other place where liquors were made and sold, under penalty of corporal punishment or hard labor at the discretion of the court.¹⁰ The next act provided that no colored person could be an artisan, mechanic or shopkeeper, or engage in any other calling or business under contract, in partnership or on his own account, except the business of husbandry, laborer and servant, unless a court was satisfied that such colored persons on application for the right to engage in the forbidden practices were especially fitted for the calling and were able to pay the required license fee of from ten to one hundred dollars. The court reserved the right arbitrarily to revoke licenses granted.¹¹

⁷ *Ibid.*, No. 4731.

⁸ Hart: *The Southern South*, Chap. XIV.

⁹ *Ibid.*, No. 4731.

¹⁰ *Ibid.*

¹¹ *Ibid.*, No. 4733.

A person of color making a contract to labor was legally defined as a servant.¹² For a servant to offer himself, while under contract, as a servant to another was declared a misdemeanor. For a third party so to represent a servant of another or to give harbor to a fleeing bound servant, was likewise declared a misdemeanor.¹³

Contracts for one month or more were to be expressed in writing, and all contracts must specify a time limit. In case of failure to express the time limit, contracts were to expire on the first Christmas following. If no rate of wages was stipulated, the duty of wage fixing fell to the local court. The regular hours of labor were from sunrise to sunset with reasonable breakfast and dinner intervals. Servants, on the order of the master, must rise at dawn for domestic service, and were held answerable for all property in their care. All losses of work through illness or through no fault of the master must be reduced from wages, quiet must be kept in servant's quarters, lights put out at "seasonable" hours, and respect shown to the master, his family, guests or agents. Want of respect, wilful disobedience, and habitual neglect of duties were grounds for discharge. On complaint of the master the local magistrate could order the chastisement of a recalcitrant servant and his immediate return to work.¹⁴

The obligations of the master towards the servant were less extensive than those of the servant towards the master; but still they were definite. Servants were not to be forced to work on Sunday, except in extraordinary cases of necessity and in the performance of routine domestic work; the servant might complain to the magistrate of "unreasonable" services required by the master; and they could depart from the master's services in case of insufficient food, violation of conjugal rights, and unauthorized assault¹⁵

The law of 1865 made possible the binding in apprenticeship of colored children over two years of age to any respectable white or colored person by the father, or mother in cases

¹² *Ibid.*, No. 4733.

¹³ *Ibid.*, No. 4731, Sec. XVIII-XIV.

¹⁴ *Ibid.*, No. 4733, Sec. XXXV.

¹⁵ *Ibid.*, No. 4733, Sec. XXXVI-LXX. This section against Sunday labor is similar to the slave law of 1740 with the same purpose: Sec. S. C. Stat. Vol. VII, p. 404.

of death or lack of identity of the father, or by the district judge in cases of orphans or children of criminal parents. A girl over ten or a boy over twelve could bind themselves on their own volition. The apprenticeship for males was not binding after twenty-one, or for females after eighteen. The law gave the master authority to inflict "moderate chastisement" and to enforce and receive the products of the apprentice's labor. The local magistrate could impose punishment on the apprentice for disobedience.¹⁶

On the other hand the master must teach the apprentice "the duties of husbandry or some other useful business, furnish suitable clothing and wholesome food, and if there be a school in convenient distance, send the child to it for at least six weeks in the year after the age of ten." "Immoderate Correction" freed the apprentice from his obligations.¹⁷

A pathetic exception to the continuous note of harshness of the black code was the provision against the eviction of old, helpless negroes from the premises of their former masters.¹⁸ Four years of war and the realization of coming years of inter-racial strife had not as yet destroyed the love of the South Carolina planter for his former slaves as the new régime was throwing the latter on his own resources.

The general laws were quite different. Negroes unable to support themselves were to be sustained by a forced levy upon their immediate relatives, each relative to pay according to his or her ability. "A Board of Relief for Indigent Persons of Color," composed of magistrates selected by the district judge, had charge. In case of the relatives' inability to pay, this Board had plenary power to levy a tax of one dollar each upon the negroes of the neighborhood. The relatives of the colored indigent were forced to report to the board cases of indigence.¹⁹

Vagrancy and idleness were declared crimes. Persons of color, not having a fixed abode, not engaged in some lawful or reputable employment, venders, peddlers, all classes of players, and those engaged in sleight of hand tricks, game hunters, and fishermen on the land of others, were classified as vagrants and

¹⁶ *Ibid.*, No. 4733, Sec. XXX-XXXIV.

¹⁷ *Ibid.*, No. 4733, Sec. XXI-XXXIV.

¹⁸ *Ibid.*, No. 4733, Sec. XXI-XXXIV.

¹⁹ *Ibid.*, No. 4733, Sec. LXXXI-XCIV.

were thereby subject to twelve months hard labor or the assignment to some master on the finding of a board of magistrates or jury of five free-holders.²⁰ This act had as its aim the protection of the gullible negro against his fellows as well as the interests of the whites.

Most shocking to northern sensibilities were the penalties attached to these laws. Whipping after the fashion of the United States Army and Navy is most frequently mentioned.²¹ Other forms of punishment were confinement in a tread mill, in stocks, and solitary confinement. "No crime more degrading than imprisonment shall be imposed on a white person."²² For certain specific common law crimes hard labor is provided for blacks, while whites are to be assigned only to imprisonment.²³ Of course, whipping had at this date long since fallen into disuse among the more civilized nations on account of its degrading nature. However, such a punishment for the South Carolina negro had none of the mental and moral terrors common to proud races of long records of freedom. To the black man of 1865 whipping was only a passing physical discomfort, borne more gracefully than long confinement.

Thus the freedman was largely by law restored to the *status quo* of slavery, partly through a desperate spirit of abandon and partly through a blind ignorance of the oncoming vengeful fury of the North in its blind zeal to give the negro the alleged rights of four fruitful years of war. The legislature of South Carolina failed to compromise itself enough to allay the harsh northern judgment. The common justification of the "Black Codes" was the imperative necessity of some regulation to counteract the demoralization and idleness incident upon the newly won freedom.²⁴ On such grounds can be justified the South Carolina restraint upon the free movement of the negro, the restriction of the sale of fire arms to such persons, and the principle of the contract laws. However, the provisions of the statutes prohibiting persons of color from engaging in legitimate trade or business and the graphic similarity of the labor contract to slavery and the distinctions in

²⁰ *Ibid.*, No. 4733, Sec. XCV-XCIV.

²¹ *Ibid.*, No. 4731, Sec. XXVI.

²² *Ibid.*, Page 273.

²³ *Ibid.*, 1865, No. 4731, XVII.

²⁴ Rhodes: *Hist. of U. S.*, Vol. V, p. 556

court between whites and blacks, can be explained on no other score than a vindictive lack of appreciation of the great social revolution then in painful process of consummation. As yet South Carolina had not realized that slavery and any laws that smacked of slavery were out of order. The South Carolina law-makers, however imperative the need of labor for the material reconstruction of the prostrate state, should have foreseen the impending wrath of the excited North that was to bring humiliation and havoc on the state. This legislation, considered together with like legislation of Mississippi and the other southern states, did more than any other single cause to place the solid phalanx of northern opinion behind the vindictive policy of Stevens and Sumner.²⁵ President Johnson's policy of moderation was disconcerted as soon as Stevens and Sumner were able to furnish statutory evidence on which to base the conclusion that the "Southerner's aim was to nullify the result of the war and re-establish slavery." The rebound of the black code was the reconstruction policy of which we shall presently speak.

No discussion of this legislation would be just without noting that the black laws of Mississippi were more severe and that South Carolina was merely pursuing a policy once followed by her northern sisters. For example, Ohio under an Act of 1806 required negroes to give bond for good behavior, made the testimony of such persons invalid against that of white persons, and denied to such persons the use of schools; Oregon excluded negroes from her territory, denied them the right of testimony and prohibited intermarriage; Pennsylvania excluded negroes from voting and required separate schools; and Delaware prohibited negro immigration and "negro enjoyment of the right of freedman."²⁶ Had these states had in 1865 a black liberated population as large as that of South Carolina, it is safe to assume that their laws would have been quite as severe. But the hysteria and intoxication of victory, then as now, was inconsistent with deliberate reasoning and the cleaning of one's own house before that of one's neighbor.

²⁵ Dunning, *Reconstruction*, p. 55, *et seq.*

²⁶ Stephenson, *Race Distinction*, p. 37, and selected statutes printed in the appendix of Johnston, *The Negro in American Law*.

Against the legislation above sketched there came a reaction. As a background for this, a brief summary of congressional policies concerning the negro in the reconstruction period is necessary. First of these were the Thirteenth Amendment to the Federal Constitution, which abolished slavery. This was followed by the Civil Rights Act of April 9, 1866 and the Fourteenth Amendment, both of which guaranteed to all persons within the Union equality of legal and civil rights. The Fifteenth Amendment gave colored persons the right to vote in a negative way, and the second section of the Fourteenth Amendment gave Congress the right to penalize by reducing the representation of those states which should deprive a portion of their citizenship of the right to vote. The Enforcement Act of May 31, 1871 gave detail and force to the Fifteenth Amendment. In South Carolina under its application within a period of two years of unparalleled election disorders 501 persons were arrested, 237 indicted, but only 58 were convicted.²⁷ More important than these and subsequent laws was that federal military force, which, until 1876, gave reality to the legalized right of the black majority's right to vote.

As part of the Congressional plan of Reconstruction a constitutional convention of the new "people of the State of South Carolina" assembled in Charleston on January 14, 1868. This convention was elected on a basis of universal manhood suffrage, exclusive, of course, of the former Confederates debarred by federal law. Considering the ignorance and complete lack of political experience of the majority constituency as well as a majority of the delegates, the work of this convention was well done. The hazard of a revolutionary experiment was avoided by an almost whole-souled imitation of the already existing constitution of the State of Ohio. Few changes to suit local conditions were thought necessary.

The wisdom of the work is evident from the fact that the whites were content to live for twenty years after their recovery of power under the organic law of this despised "Black and Tan" Convention of 1868.

The theory and letter of this document does not in any manner indicate class or racial discrimination; its fundamental

²⁷ Dunning, *Reconstruction*, p. 186.

theme is a raceless and classless democracy; it sways only from the straight and narrow path of theoretical equality in obedience to the higher law of the National Government. However, owing to the dominant race consciousness of the times and to the fact that the whites of South Carolina were in a permanent minority, this constitution in practice was destined for a time to eliminate completely from effective political action the more intelligent half of the population.

The Constitution of 1868 was supplemented by a series of statutes embracing the period of radical dominance from 1868 to 1876, which must next be considered.

The new legislators instituted radical reforms in education, which South Carolina, radical or conservative, has never seen fit to repudiate; i.e., universal education for all children between the ages of ten and sixteen was provided. The protracted constitutional debate between the negro members as to whether or not the German and Massachusetts plan of compulsory education should be adopted was compromised by giving the Legislature general authority to enforce school attendance as soon as there were accommodations for all. Separate schools for persons of different color were prohibited.²⁸

This constitutional guarantee of universal free education was supplemented by the elaborate educational act of February 16, 1870. Uniform text books were to be furnished at 10 per cent above cost to all children financially able; those unable to pay were to be given books free of charge. A later act made provision for the unconditional free distribution of textbooks to all students of the state within the guaranteed ages. The State Superintendent of Education was authorized further to collect books given free to the state and to purchase "rare and valuable" works for the use of teachers; he must compile exhaustive school statistics and pass upon the qualifications of teacher candidates.²⁹

The county school commissioners were to have general supervision of the schools of their respective counties; to see that an extensive course of study was taught; and to deliver lectures and encourage the formation of teachers' associations.³⁰

²⁸ S. C. Const., 1868, Art. 10.

²⁹ Acts S. C. 1870, No. 238.

³⁰ *Ibid.*, 1870, No. 238, 1873, No. 346.

The school trustees, the officers of local administration, were to be elected through the New England innovation of the town meeting. They were to have control and management of the local educational establishments; they must make fortnightly visits to the school or schools of their respective districts: they must take an annual school census, build suitable school buildings and employ and discharge teachers.³¹ As the whites would not attend these "mixed" schools, these reforms benefited one race exclusively.

In 1870 the South Carolina Assembly was very generous to its new educational creation: the capitation tax and \$150,000.00 was appropriated for the common schools, and \$25,000.00 for the State University.³² By 1872 this amount was approximately doubled.³³

Under the old order of slavery universal free education was unknown to South Carolina, although an act of 1811 appropriated funds for the support of "free schools," especially for those unable to pay for private instruction. The unfortunate consequence was that many of those too poor to engage private teachers preferred a prideful ignorance to the possible odium of public charity.³⁴ The darkness of slavery precluded negro instruction. The war and the disorder of the months following the Civil War completely broke down all attempts at public instruction; the year 1868 even found the State University closed.³⁵

Consequently, the already enumerated works of the constitutional convention of 1868 and the legislature of 1870 and 1871 were distinct innovations, the legal principles and theories of which are the basis of public education in South Carolina today. Unfortunately, however, these admirable paper reforms found only partial reflection in actual good accomplished. Compulsory education was only put in partial operation fifty years after the proclamation of that intention. These educational laws were more a vague attempt to reach the ideal of Massachusetts, Switzerland, and Germany than an attempt to reflect the edu-

³¹ *Ibid.*, 1870, No. 238; 1871, No. 346.

³² *Ibid.*, 1871, No. 371.

³³ *Ibid.*, 1872, (Appropriation Laws.)

³⁴ Acts S. C., 1811, page 27-31. Knight, *South Atlantic Quarterly*, Vol. XVIII, p. 351.

³⁵ Reynolds: *Reconstruction in South Carolina*, p. 30.

cational possibilities of disordered and poverty-stricken South Carolina of that day. The Legislature and the state officials were too busy pillaging the public revenue, increasing salaries, extending the time of legislative sessions and paying special mileage bonuses to put adequately into operation their pious plan of reform. Hints of the operation of the school law comes from a perusal of subsequent acts: an Act of February 24, 1870 indicates gross dereliction in payment of teachers' salaries; a joint resolution permits the holding back of teachers' pay for three years;³⁶ a special act is necessary to prevent the "shaving" of teachers' pay.³⁷ It remained for the conservative government since 1876, suffering as it did from a painful economy, to at last put the educational ideal of the radical government in full operation. Had the reforming Chamberlain administration (1874-1876) remained in power, it is possible that it may have anticipated the reforms of its successors.

³⁶ Acts S. C. 1870, No. 418.

³⁷ Acts S. C., 1872, No. 418.

BOOK REVIEWS

THE WAR WITH MEXICO. By Justin H. Smith. New York: The Macmillan Company 1919, pp. xxii, 572; xiv, 620.

This is a book which has long been needed. Being written, it deserves to be read. The title is more modest than intentionally misleading, for the volumes contain far more than the story of a war. It is the history of Mexico and the history of the United States,—written from the point of view of their relation to one another during a period of twenty-five years. The author has covered the whole ground, printed and unprinted sources,—the archival material from half a dozen capitals, all the related material in every collateral science or art bearing in any way on the story. But this does not exhaust the merits of the work. Several individual chapters are separate and distinctly brilliant essays on certain phases of American history upon which light was badly needed. One need never question again whether or not chauvinistic Mexico must not bear her equal share of the blame for the war. One need never question again that unctuously courteous unreliability and punctilious quibbling on the part of our southern neighbor drove the brusque and business-like northerner to desperation, and convinced him that there was no truth in Mexico. The world is still close enough to another incident in which a great nation regarded generosity only as a sign of weakness and patience only as a sign of cowardice, not to understand the psychology of the Mexican leaders who plunged their country into a war with the United States, fully believing that the United States had neither the strength nor the stomach for a fight.

Be our opinions what they may on the merits of going to war in any given case, the lecturer or writer in the future who would differ fundamentally from the conclusion reached by the author of the *War with Mexico*, must show a foundation dug as deep in hard work and research before his opinion can claim our serious attention. The so-called "forward-looking" journalists and editorial writers who love to capitalize their country's misdeeds toward her Latin American neighbors will

find much food for thought in the first four chapters of this work. Having tasted of that food, it is likely that reasonable men among them will be disposed to ponder more thoughtfully on their vitriolic criticism of any American administrative policy toward Latin America, basing their criticism more on principle and less on feeling. At the same time, the Stephen Decatur type of patriot, the "America, right or wrong" citizen, will find his intellectual diet benefited by an examination of the story of the maladministration of that war, the extent to which petty politics were permitted to thwart the efforts of scientific managers, the atrocities committed by the American troops in Mexico, and the unpatriotic behavior of American patriots.

Of course in the Mexican War, like most wars, many wise and learned men guessed wrong and said foolish things, while many foolish men guessed right and said some sensible things. Mr. Smith's book goes a long way toward correcting errors, not the least among them being the old idea that the war was a slaveholders' conspiracy to find room for the expansion of the "peculiar institution." The author admits to being a New Englander with all the prejudices of that section on the subject of slavery and the Mexican War. Yet if he does not exonerate the South from the traditional charge, he at least makes it necessary to qualify very greatly that charge. The politicians pre-eminently anxious to acquire Mexican territory seem to have been northerners, and nowhere was the war more pitterly opposed than in the slave-holding states. (Vol. 1, pp. 188-9).

It is in his likes and dislikes of particular men that the author most lays himself and his work open to criticism. He lauds Scott and deprecates Taylor, and "Polk the Mendacious and Mediocre" comes in for his full share of blame. Moreover, the affair of Nicholas Trist is hardly treated with the fullness one might ask and leaves something to be desired in the matter of settling authoritatively the merits of a much controverted question. But the fault of too great stress on personalities is offset by this comment on Polk; "He did his best; and one is tempted to lay the charge against a system of government which confers on politicians, ignorant or poorly informed re-

garding vital matters, the honors and responsibilities of statesmanship." (Vol. I, p. 267).

The work is a frankly nationalistic one, and of course has the demerits attendant upon such a point of view. The descriptions of military operations, to which so much space is devoted, are not the strongest part of the work; although it may not take a military expert to understand a battle, it does take an artist to draw a picture of it. In reading the accounts of Buena Vista and Cerro Gordo, one often feels that he cannot see the woods for the trees. But on the whole the book is so much better than most critics could possibly have produced themselves, and it makes such an analysis of Mexican psychology as is useful only when coming from a man who had behind him the solid work which Mr. Smith has performed, that it looms up as one of the most valuable contributions to the field of American history that has appeared in recent years.

RANDOLPH G. ADAMS.

THE PRINCIPLES OF SOCIOLOGY. By E. A. Ross. New York: The Century Company, 1920, pp. xviii, 693.

That Professor Ross' latest book on the *Principles of Sociology* is an unusual work representing very definite strides towards a comprehensive theory of society based on more representative data and social phenomena can scarcely be doubted by those who have studied carefully its content and organization. That it has been reviewed favorably by many of the most prominent of present day social theorists; that it has been approved by a number of students holding widely divergent views as to "social theory," and that it has been adopted in scores of college and university classes—all these give it a momentum for successful use and experimentation rarely accorded a new book of this sort. That its fifty-seven chapters will guarantee ample variety likewise cannot be doubted; nor is there reasonable doubt that the unusual scope, variety and grasp of the text-matter will challenge the critic to the almost impossible task of adequate review or analysis.

And yet one is glad to begin on a review. Perhaps a good example of reaction to the reading and study of the book is

represented by the verdict of an advanced student that he reads the book with great pleasure as a sort of education in manners, customs, literature, ethnic history, style and much else, and that the pleasure of reading transcends any idea of system, theory or sociology. To this extent it is hard for the student to come through with any idea of why the book is so organized and why so arranged and illustrated. But if one takes the social population and its physical environment as a basis, subscribes, then, to progress and growth of society and population as a goal, he will find a remarkable theory built up around the elaborately illustrated social forces, social processes and social products, to which are added definite social principles worthy of careful consideration.

From a careful reading and from experience with students the reviewer feels that the outstanding characteristic of the book is that of its contrasts. It is a book of paradoxes. It does have system and theory while being organized in great diversity and irregularity; it appears to be a most teachable book yet defies systematic programs; it is remarkably comprehensive yet admirably confusing; it is interesting and almost fascinating yet at times tiresome and monotonous; it is generous and remarkably open minded at times yet at times dogmatic; it is rich in illustrations yet often neglects to support its statements by adequate authorities; it is suggestive of unusually promising prospect for social control yet disappointing in its plans; its terminology is admirable and effective yet most confusing. If one can accept these and other contrasts as token of its stimulating value and will supplement the text with adequate teaching methods and maturity of thinking, the verdict will be that it is one of the best books recently appearing.

HOWARD W. ODUM.

University of North Carolina.

THE UNITED STATES AND LATIN AMERICA. By John Holladay Latané. Garden City, New York: Doubleday, Page & Company, 1920—346 pp.

Opening with a lively account of Spanish-American patriots—Miranda, San Martin, Bolivar—and their fight for independence, Professor Latané's volume follows the vicissitudes of

our relations with the resulting states during the period of an eventful century. The question of recognition of the new republics, our relations with Cuba, the long story of the canal project, the Maximilian fiasco, the two Venezuelan crises, our growing power in the Caribbean, Pan-Americanism, and the Monroe Doctrine—these are the principal chapters in the story. The subject is one of ever-increasing importance to the United States, and in this field the author is a recognized authority. The book has defects, but will be found both interesting and useful.

It is something of a disappointment to discover that the book deals so exclusively with diplomacy. In this special phase of the subject the treatment is thorough as regards our diplomatic correspondence with both Spanish-America and the interested European powers. But there is rarely a hint of the commercial and financial interests which, whether in discord or harmony, have played a pretty steady accompaniment to American diplomacy. To specify,—there is no reference to Cornelius Vanderbilt's Accessory Transit Company and the part played by American capitalists in the Nicaraguan career of William Walker, there is no attempt to discover what relation existed between American investments in Cuba and our war with Spain, and there is no mention of our petroleum interests in Mexico.

While these omissions may warrant criticism of the title as suggesting more than the book covers, they can hardly be held against the book itself, which does not profess to deal with economic forces. One feature, however, seems singular from any point of view. Why should our war with Mexico, so important in giving to the southern countries their conception of a land-grabbing Uncle Sam, be compressed into less than a page, while our defence of Mexican independence against Napoleon III is dignified with an entire chapter of forty-four pages? The latter was of course very interesting as the first serious test of the Monroe Doctrine; it may be doubted whether it has more significance than the Mexican War in our relations with Latin-America.

As in another of his recent volumes, Dr. Latané quotes at length from the alleged text of the secret treaty of Verona, published in *Niles' Register* in 1823 and in Elliot's *American Diplomatic Code*. The publication *verbatim* of a text which the author himself admits is unauthenticated seems hardly justified by the excuse that nevertheless "it states pretty accurately the motives and aims of the powers."

But in spite of rather obvious defects like those mentioned, the book is likely for some years to be indispensable to the students of our relations with our southern neighbors. If there are omissions, that which is given is in general excellently documented, and the author's opinions always merit respect. The volume represents much careful preparation and is a welcome addition to this side of American history.

JULIAN W. PRATT.

United States Naval Academy.

JOHN ARCHIBALD CAMPBELL. By Henry G. Connor. Boston and New York: Houghton, Mifflin Company, 1920, pp. viii, 210.

Judge Campbell was a type of the Old South whose ideals and influence well deserve commemoration. His Scotch ancestry was an excellent background for a distinguished career as a jurist. A firm believer in the rights of the states, even to the extent of the right of secession, he exerted his best efforts in 1861 to avert a dissolution of the Union. A slaveholder, he manumitted his slaves and he never believed the slavery controversy to be a worthy cause for secession. In legal learning and juristic ability, both at the bar and on the bench, he had no superior in his generation. He was one of the few Americans who practiced before the Supreme Court of the United States after having been an Associate Justice of that tribunal. The object of abuse and denunciation in 1861, and of persecution in 1865, he never lost his equanimity and he looms across the years as one of the real patriots of his time.

Such a character is fortunate to have Judge Connor as his biographer. Sympathetic but judicious, always emphasizing the legal reasoning of the courts as well as that of Judge Campbell, never losing a sense of discrimination and poise,—

such are the characteristics of the book. Its contents fall into three periods. First of these is Judge Campbell's life before 1861. In legal circles he made rapid progress from his admission to the bar in 1829 to his appointment as Associate Justice of the Supreme Court of the United State in 1853. In the more important early cases in which he participated as advocate or judge, there appears one underlying theme—the rights of the states versus the extension of federal power, notably in the control of corporations and jurisdiction in maritime cases. Most important of all causes involving states rights was that of Scott vs. Sandford; in it the view of Judge Campbell was simply that Scott did not gain freedom by residence in communities where slave laws did not exist, so avoiding the academic question whether a freedman of African descent could be a citizen of the United States. Of his private views, derived by inference or from manuscript material, concerning the constitutionality of the Missouri Compromise, or of any collusion of the executive department and the judiciary in the opinion pronounced, we are not informed; in fact, Judge Connor unfortunately dismisses the matter of the Missouri Compromise as only of "historical interest." And another matter is also slighted: viz., Campbell's rôle in the secession agitation of 1850-51, only mention being made of his membership in the famous Nashville Convention. On the other hand, Judge Campbell's activity against filibustering and the slave trade is adequately dwelt upon.

The second period of his life was that from 1861 to 1865. His efforts as mediator between the Confederate commissioners and Secretary Seward are outlined in detail, the *Facts of History* being quoted fully. When all details are considered, the conclusion is inevitable that Judge Campbell was a genuine patriot, striving to the very last to reconcile the sections. On the other hand, the treatment of the Hampton Roads Conference is less complete. Certain significant details are omitted, and apparently the Memorandum prepared by Judge Campbell is not used. However, the divergence between him and Jefferson Davis concerning the results of the interview is clearly stated.

Concerning Judge Campbell's negotiations with Lincoln at Richmond in 1865, an unpublished letter of Campbell is presented (pp. 188-192).

The third period of Judge Campbell's life is that after 1865. It was notable for the important litigation in which he was an advocate before the Supreme Court of the United States, notably the Slaughter House Cases and the Louisiana bond case. These and other cases in which he appeared rank him as one of the leading advocates of his age. He won the respect and admiration of the American bar. The concluding chapter treats of his personality, characteristics, and the estimates of him held by his contemporaries.

Judge Connor has evidently had access to manuscripts left by Judge Campbell. Unfortunately, the reader is not informed as to the extent and nature of this material. But enough is quoted to whet the reader's appetite and to arouse the hope that the manuscripts of the distinguished jurist may some day be published.

WILLIAM K. BOYD.

WHY MEN STRIKE. By Samuel Crowther. New York: Doubleday, Page and Company, 1920,—232 pp.

THE NEW INDUSTRIAL UNREST, REASONS AND REMEDIES. By Ray Stannard Baker. New York: Doubleday, Page and Company, 1920,—231 pp.

These two books, very different in other respects, have the same starting point and they aim, immediately at least, at the same object. The War, during which the worker was told that he was a wheel-horse in the industrial team, and the resulting inflation, which made the harness gall him while the load got heavier, have promoted widespread questioning by labor of the utility of the present social order. And what is imperatively needed, despite this unpromising condition, is more production.

But here, both in spirit of approach and in practical recommendation, the writers part company. Mr. Crowther recognizes as well as Mr. Baker that the solution turns, ultimately, upon what labor decides it had best do, but he thinks the mind to decide can be taken advantage of by the employers, and the decision be not so much prompted as imposed by them. Labor, in profession, is to be taken into the camp of capital. The sale

of the thrift idea to workers is to make them feel the magic of property. An improvident American proletariat brooding over fundamental industrial change, is to be transformed into a stockholding mock-bourgeoisie championing the capitalist system. It is patent, however, that someone must do the cheerless manual work. Mr. Crowther undertakes labored arguments to show that a man may remain a mere working machine in fact, while he comforts himself with an employer's consciousness. The most superficial analysis indicates that such a method of uniting the directioning and executing of industry holds little likelihood of success. The total of the book gives the impression that the writer wants the operative classes to receive the sensation of capitalism without sufficient participation in its essential advantages to endanger supremacy of the truly important few.

The chapters are diffuse, full of repetitions, and shot through with fallacies; we get nowhere by asserting that socialism denies the usefulness of capital, for the Communist Manifesto itself contains the most enthusiastic tribute to the wonders worked through invested funds; it is only private ownership of social means of production that is objected to. Also, the wage-fund theory, that economic cat-of-nine-lives, despite many deaths publicly suffered, screams through all these pages, or purrs insinuatingly and rubs against the reader to be petted.

Mr. Baker, on the other hand, has made an enlightening review of the conditions and a thoroughly helpful body of suggestions for their treatment. The imputed, as contrasted with the real, causes of unrest, the employer's view from above and the employee's view from below, approaches to solution of the problem through Americanization, political action, welfare work, shop council systems, the coöperative movement and various forms and degrees of workers' representation are explained and evaluated. Without spurring any hobby, Mr. Baker keeps constantly before the reader the generous remedy that there must be "a real application of the principles of American democracy to industry," and holds with President Wilson that we must entertain "a full recognition of the right of these who work, in whatever rank, to participate in some organic way in every decision which directly affects their welfare or the part they play in industry."

Appreciating the truthfulness of his observations in other cases, one is persuaded to be cautious even in thinking the writer too sanguine of the sincerity of Mr. Gary. The country will hardly be so charitable toward a magnate who defends the twelve-hour day, which has latterly increased in its application in his mills, and yet protests his kindness to his operatives. But the picture of a steel town makes a brilliant chapter, and will explain to the average reader a great deal that economic argument could never make plain.

Sighting the industrial conflict from the angle of the consumer, Mr. Baker bears in mind the good of the whole people; if he will not hear to tyranny on the part of workers, he understands that these are winning the fight and he is not afraid to contemplate social alterations measuring their legitimate successes. It is the kind of thing that Englishmen have generally done better than Americans, but this book matches the most high-minded British method and tradition.

BROADUS MITCHELL.

John Hopkins University.

OLD AND NEW (SUNDRY PAPERS). By C. H. Grandgent, Cambridge: Harvard University Press, 1920,—177 pp.

While not containing a great deal of new material, the small volume of essays and addresses entitled *Old and New* by Professor C. H. Grandgent is very timely and suggestive, especially in what it has to say on a good many of our present-day educational problems. Professor Grandgent is far more than a keen scholar; he is one of our most thoroughly trained teachers, and by long experience as well as training is peculiarly fitted to offer sane and helpful criticism of our educational fads and fancies.

The eight essays in the volume are divided equally in number into two classes: four of them, "Fashion and the Broad A," "The Dog's Letter," "Numeric Reform in Nescioubia," and "New England Pronunciation," give the results of Professor Grandgent's study of American phonetics; the other four, "Nor Yet the New," "Is Modern Language Teaching a Failure?" "The Dark Ages," and "School," concern themselves first in a broad and then a particular way with educational prob-

lems. These last mentioned four essays discuss especially the unwholesome tendency in our schools to throw away the old for the new, the evil effects of requiring of teachers too much knowledge of educational theory at the expense of real knowledge of their subjects, and the whole question of the proper subjects in the school curriculum.

"The whole Modernist propaganda," the author asserts, "is based on the false assumption that knowledge can be acquired without painfully conscious effort, if we but pick out alluring kinds of knowledge. It ignores the fundamental fact that to the normal man or woman, and still more to the normal child, labor is unpleasant." He maintains elsewhere that "The chief benefit of education lies in the effort it demands. If school is to be a preparation for life, it must train the child for the performance of the duties that life has in store for him; it must develop in him the habit of cheerfully and regularly accomplishing irksome tasks. 'In the sweat of thy face shalt thou eat bread' is the law of life, and a wholesome law it is." The author believes that "Probably the greatest divergence in the educational value of studies is due to the varying degree to which they require concentration, judgment, observation, and imagination. . . . until we have conclusive evidence to offset our own observation and that of all our ancestors, we should do well to foster the studies most conducive to the habits we wish to cultivate." For this reason, while by no means discounting the great good to be derived from a study of things (the natural sciences), Professor Grandgent would give the greatest place in our school curriculum to mathematics, history as revealed in the lives of men, languages, literature—in other words, to man himself.

It goes without saying that all that Professor Grandgent has to say in discussing questions of philology in the four essays dealing with the subject is highly interesting and authoritative.

The whole volume breathes sanity, fine taste, good humor, and ripe scholarship.

W. H. WANNAMAKER.

SELECTED POEMS. By Judge Walter Malone; Compiled by his sister Mrs. Eva Malone Watson. Louisville, Ky.: John P. Morton & Co., 1919—307 pp.

This book of poems is a distinct contribution to southern literature consisting, as it does, of nearly two hundred poems, and revealing the author as a man of travel, having an appreciative eye and heart, a tenacious memory, a broad human sympathy, a scholarly mind untouched by conceit, and a spirit pulsating with a sincere and genuine love of nature.

Many of his poems grip and appeal, and in content and beauty of expression have the elements of abiding life. Poetic standards, like educational standards, are subject to change. Of course there are certain traditional and inviolable limitations. But interrupted sleep and failure to get one's morning bath may make the sublimest art seem to degenerate into midday prose. From the hilltops of enthusiasm and the valleys of indigestion will finally emerge what one may term a balanced standard. Till it does, however, the individual reviewer cannot be sure that his judgment will not be reversed.

I shall have to wait for the erosions of time to tell what is lasting in Judge Malone's work. Many of his poems throb with the great, buoyant life of nature, such as "Sunrise in the Country," "The Song of the Frogs," "Mountain Brook," "The Dried-up Stream," "The Bluebird," and "The Bay of Naples."

In many of his poems "the burden of the mystery of all this unintelligible world" rests heavily upon him, and like Keats he was overcome with the thought that sometime he should cease to be. This mood so permeates most of his work that it precludes the fullest revelry in the beauty of his art.

His poems on "Forrest in Memphis," "Byron," "The Whistling Boy," "Opportunity," "A Night in Cuba," "Union of the Seas" (on the opening of the Panama Canal), "Fireside Fancies," "To an Unknown Reader," together with his epic masterpiece, "Hernando de Soto," are among his outstanding productions.

There is no doubt but that Judge Malone was a tireless and indefatigable worker, with lofty zeal and exalted purpose. He recognized the seclusion of his art in his poem "To a Poet,"

when he admits that "Who weds the muse must others all forsake," calling to mind Ben Jonson's comforting warning, "He who casts to write a living line must sweat."

He labored continually under the dulling edge of inappreciation and caustic criticism, though he "was not without honor save in his own country." His own words tell of his dogged tenacity in the face of all this, in the first poem of his volume, entitled "In Praise of Myself:"

"So I praise myself for the fights I fought against all the hosts of hell,
Though I knew at last was a greedy grave and a shroud and a funeral bell.
I have trod the path which, I know not why, leads on to the lonely tomb,
And never a man or seraph or saint more boldly has marched to doom.

I care not what sage or sophist might do, what higher beings might say,
What counsel of man, what wisdom of God, may have shown a better way
Had they fought like me, had they bled like me as they crept through
earth to die,
I would challenge them all to take up my lot and bear it better than I."

D. W. NEWSOM.

THE I. W. W.: A STUDY OF AMERICAN SYNDICALISM. By Paul Frederick Brissenden. New York: Columbia University, Longmans, Green & Co., Agents, 1920, —pp., xiv, 438. (Second Edition).

The author in his preface to the first edition states:

"Though nowadays well aware of the existence of the I. W. W., the public still knows little about the organization and its members. Moreover, a great deal of what it does know is false. For thirteen years the I. W. W. has been rather consistently misrepresented—not to say vilified—to the American people. The public has not been told the truth about the things the I. W. W. has done or the doctrines in which it believes. The papers have printed so much fiction about this organization and maintained such a nation-wide conspiracy of silence as to its real philosophy—especially as to the constructive items of this philosophy—that the popular conception of this labor group is a weird unreality." (p. 8).

"The Wobblies (I. W. W.) insist that no genuine democracy is possible in industry until those who do the work in a business (from hired president to hired common laborer) control its management." (p. 12).

This book is, as the author himself says of it, a "mere matter-of-fact description of the Industrial Workers of the World as an organization and a record of the facts of its history." The numerous and well selected quotations from the sources leave the reader to form his own judgment as to the "constructive philosophy" of the I. W. W. The work is a valuable contribution to the history of the labor movements and therefore is of interest to the student. It is of interest to the general reader because it gives a clear and unbiased statement of the aims and purposes of industrial unionism.

The relation between Bolshevism and I. W. W.-ism is brought out by the quotation that Robert Minor, in an interview with Nikolái Lenin, ascribes to him, that "the American, Daniel De Leon, first formulated the idea of a soviet government, which grew up in Russia on his, De Leon's, idea." In the same interview Lenin is further quoted as saying: "Future society will be organized along soviet lines. There will be soviet (occupational) rather than geographical boundaries for nations. Industrial unionism is the basic state. . . ."

The book is divided into four parts, as follows: I. Beginnings, pp. 27-110; II. The First Phase (The "original" I. W. W.), pp. 113-255. This part contains chapters upon Maiden Efforts in the Economic Field, the *coup* of the "Proletarian Rabble," The Structure of a Militant Union, The Fight for Existence, "Job Control" at Goldsfield, Doctrinaire versus Direct-Actionist, and The I. W. W. on the "Civilized Plane;" III. The Anarcho-Syndicalists (The Direct-Actionists), pp. 260-350. The titles of the chapters are: Free Speech and *Sabotage*, Lawrence and the Crest of Power, Dual Unionism and Decentralization, Recent Tendencies; and IV. Appendices I-X., pp. 351-386. Besides tables in the appendices are two charts, Father Hagerty's Wheel of Fortune and Structural Organization of the I. W. W. There are also selections from the I. W. W. Song Book. The Bibliography (pp. 387-428) is very complete and the works are carefully selected. The index and contents are prepared in detail.

One difficulty with the book for the general reader is that there is little or no attempt by the author at an interpretation of I. W. W.-ism.

WILLIAM JOSEPH HENRY COTTON.

SHAKESPEARE FROM BETTERTON TO IRVING. By George C. D. Odell. New York: Charles Scribner's Sons, 1920. Two volumes, pp. xiv, 456, viii, 498.

That Professor Odell has undertaken an enormous task, there is no doubt. He has set out to do for all the plays of Shakspere what Miss Wood has done for *Richard III* and Brereton, in a less satisfactory manner, for *Hamlet*; that is, to give a complete stage history of all Shakspere's dramas from 1660 to the death of Sir Henry Irving, or, perhaps one should say, to the present time, since a brief epilogue titled "Recent Tendencies" brings the stage history of the plays on down to the outbreak of the War. Indeed, Professor Odell has undertaken even more than this, for the book is much more than a mere chronological discussion of Shaksperian revivals and adaptations. As he says in his introduction: "But since these works were performed in theatres, it has been necessary to deal also with the playhouses and with methods of staging, from Betterton to Irving. Changes both before and behind the curtain are noted,—anything, in fact, that had to do with setting the plays before the audience. The history of the theatres, therefore, is included; but stage presentation—scenery, machinery, costumes, pageantry, spectacle, music, song, dancing—receives by far the major share of attention." The book, then, is in reality a history of the London theatres from 1660 to the end of the last century, written from a special point of view.

In order to avoid confusion in the treatment of such a large and complex mass of materials, Professor Odell, somewhat arbitrarily perhaps, has divided his work into eight books as follows: The Age of Betterton (1660-1710); The Age of Cibber, (1710-1741); The Age of Garrick (1742-1776); The Age of Kemble (1776-1817); The Leaderless Age (1817-1837); The Age of Macready (1837-1843); The Age of Phelps and Charles Kean (1843-1879); The Age of Irving (1879-1902). In each book a chapter treating the history of the theatres during the particular period covered in the book is followed by one dealing with Shaksperian revivals and adaptations during the same period; this, in turn, is followed by discussions of such topics as scenery, principles of staging, and

costume. In an endeavor to interest "the lover of the theatre and the lover of Shakspere" as well as the specialist, the author has dispensed with "the more formidable machinery of scholarship—footnotes, appendices, tabulations, etc." In a further endeavor to interest this same lover of Shakspere and the theatre, one suspects, he has scattered *sic's* somewhat plentifully through his numerous quotations from old books and periodicals, and has endeavored to make his style rather familiar and colloquial—an achievement for which he will no doubt be taken to task by certain English reviewers who have lately placed considerable emphasis upon the traditional rules of composition as ordinarily doled out to college freshmen. As a further means of securing vividness and arousing interest Professor Odell has made effective use of pictures illustrating the development of stage structure, scenery, and costuming. Of these pictures, one hundred in number, many are rare, and some have apparently never been reproduced. We are glad that Professor Odell has a hobby and readily appreciate the collector's pride expressed in the following words: "For permission to use some of these rare items I am deeply indebted to the Harvard Theatre Collection and others; but by far the greater number I have taken from my own collection, the accumulation of which has been the solace and delight of most of the years of my life."

From what precedes it must not be thought that the book under discussion is in any sense an extensive, but popular, treatment of well-known matters. On various occasions Professor Odell cannot resist expressing the scholar's delight at his "find," and well he may congratulate himself, for he has made numerous contributions to our knowledge of stage practices and theatrical history.

It is obviously impossible, in the limited space at my disposal, to give the reader an adequate idea of the many interesting but scarcely known facts that Professor Odell has accumulated for us by his many years of reading in the dramas, periodicals, pamphlets, lives of actors, newspapers, etc., of a long period of time; nevertheless a few indications of what the book contains in this respect may be given. Few people besides the specialist know to what extent Shakspere's plays were altered even by his greatest admirers, or realize that the greatest hits in the rôle

of Lear have been made by actors who used Tate's 1681 version of the play. Fewer persons still know just how significant Macready and Samuel Phelps really were in the restoring of Shakespeare's text to the stage. Again, those who are interested in the staging of Shakspere's dramas in the so-called Elizabethan manner will probably be surprised to learn that outcries against smothering the Bard of Avon with scenery were raised against Macready and Charles Kean years before they were repeated more clamorously against Henry Irving and Beerbohm Tree, and that in 1844 Benjamin West presented *The Taming of the Shrew* against a background of simple curtains and screens, thus anticipating by over half a century the poverty-stricken stage recently advocated by such men as Ben Greet and William Poel.

The author's sanity in treating various knotty problems that inevitably arose in the process of his discussion may be illustrated by certain points he makes regarding the extremely difficult subject of the Restoration stage and staging. He proves pretty conclusively that the scenery ordinarily used in the theatres of the latter half of the seventeenth century was not so imposing as we have sometimes been led to believe; his discussion of the stage curtain is thoroughly sound and should be read in connection with two very recent articles on the subject by Nicoll and Lawrence (*Mod. Lang. Review*, XV, 137-142; 414-420); he explodes forever the tradition that Garrick introduced footlights from France in 1765, and gives good reasons for believing that footlights of a certain sort were utilized during the Restoration. Incidentally, it may be remarked that they were perhaps used in England before 1660 (cf. *Studies in Philology*, XIII, 110-113.)

In his treatment of various interesting but extremely uncertain problems he is not so detailed as we should like, but he throws out some very stimulating suggestions for special research on the part of scholars who read his book. He gives some interesting reasons, to illustrate, for thinking that the Restoration theatres employed practicable doors in the "flats" and sometimes used French box-sets with three walls containing practicable doors. Especially interesting, too, is his discussion of

the very involved question of the representation of night scenes in the Restoration playhouses. Stimulating indeed is his comment (I, 145) on the "Night Piece" frequently mentioned in Restoration dramas; for example, the "A Night-piece of a Garden" called for in Dryden's *Assignment* (II:3) and "A Night-piece of a pleasant Bower" mentioned in the same writer's *State of Innocence* (III:i). "Does it mean," writes Professor Odell, "that the theatre scene-room was provided with darkly painted canvasses for such calls? Actors with whom I have spoken doubt this, yet the phrase haunts one with its possibilities." The question thus raised cannot be adequately discussed here; still it may be said that, in spite of the doubts of the actors, his question can be pretty confidently answered in the affirmative. "Night piece" in the sense of a particular kind of painting occurs rather frequently in our early literature, as for example, the "Another night-peece drawne in sundry collours," which Dekker uses as a title to the last section of his *Lanthorne and Candlelight* (1608), and the "in sable colours like a night peece dyed" of his *Satiromastix* (V:2). That such paintings had been used in theatrical entertainments as early as 1605 is proved by Jonson's description of Inigo Jones's scenery used in *The Masque of Blackness*. Describing the "vast sea" at the rear of the stage, Jonson asserts that its effectiveness was enhanced by the addition of "an obscure and cloudy night-piece, that made the whole set off."

In the presentation of theories and the discussion of points that perhaps can never be satisfactorily clarified, Professor Odell is conservative—a little too much so, in my opinion—still various students will no doubt take issue with him on various questions he has raised. Certain problems are not handled as fully as we should wish; his treatment of costuming could have received some valuable suggestions from Miss Lily B. Campbell's *A History of Costuming on The English Stage Between 1660 and 1823* (Univ. of Wisconsin Studies in English, 1918); a few errors of detail appear, such errors as will inevitably occur in a work of such magnitude. But these are minor matters. The book is a most valuable contribution to the literature of Shakspere and theatrical history. As such

it deserves to rank among the foremost American contributions to the subjects, and accordingly is indispensable not only to libraries and the specialist but to "the lover of the theatre and the lover of Shakspere."

THORNTON S. GRAVES.

GAMBETTA. By Paul Deschanel. New York: Dodd, Mead and Company, 1920—viii, 336 pp.

Three statesmen of the third quarter of the nineteenth century the world recognizes as nation-builders—Cavour, Bismarck, and Lincoln. Though Gambetta is less widely known, though even his memory was long victimized by the bitter factionalism that had raged around his last years, it seems not unlikely that history will assign him a place little below his illustrious contemporaries. In a way his task was harder than any of theirs. Bismarck and Cavour performed their labors with the aid of sympathetic and influential sovereigns; Lincoln was from the start in possession of the organized governmental machinery; Gambetta's time of trial came not only when a form of government was to be devised, but even when public opinion must be moulded almost from the bottom up, its divergent elements reconciled and blended into a solid support for a republican government.

Evidently Gambetta had the confidence and assistance of Thiers. At a time not many months before, Thiers and Gambetta had denounced each other as a "raving madman" on the one hand and a "sinister old man" on the other. That the two could forget their mutual dislike and work hand in hand for the common cause was one of the triumphs of that "opportunism" which Gambetta made famous. Thiers was a tremendous force in the politics of the time, but Gambetta was a veritable tornado of energy, rousing the country as Thiers could never have done.

To some public men death has been kind. Lincoln and Cavour passed away in the hour of triumph, with no bitter sequel to diminish their well earned glory. Bismarck's name was secure after 1871, but even for him life brought thereafter defeat by Roman Catholics and Socialists and humiliation from a young Imperial upstart. Gambetta might well have died in

1877. The five years that remained of life had little for him but bitterness and defeat. The enemy of faction, it was small wonder that during those last days the wolves of faction cried at his heels. Perhaps he was not blameless; perhaps now and then he allowed ambition to override what was best for France. Blameless or not, the man who had remade France died feared and hated by many of his countrymen.

The measure of his mind appears in his vision of French foreign policy. "The chief business is to isolate that appalling menace, the Hohenzollern dynasty." "I think that before long England and Russia will be on our side, if only we adopt a suitable policy at home." "How I long to realize my ambition for the greater glory of our country; to bring about a Franco-Russian agreement; to break up the Hapsburg-Hohenzollern alliance; to draw Italy nearer to France!" "It is by joining hands with the Southern Slavs and those of the Lower Danube that we shall lay the foundations for a victory over the motley Germanic Empires . . . When once the South Slavs are welded together into a State, the Prussian dictatorship of Europe will be a thing of the past." These random sentences display his grasp of his country's international problems.

Ex-President Deschanel's volume is, so far as the writer has discovered, the first thoroughly reliable life of Gambetta. Many years ago Sir Frank Marzials wrote an English biography excellent so far as it went, but the author had far from complete source material on Gambetta's later years. Even at that the book was too good to have gone out of print, as it did some years since. Most of the French treatments have been either one-sided or effusive. It is an unusual pleasure, therefore, to welcome M. Deschanel's brilliant volume. To an early personal acquaintance with Gambetta himself, and an intimate knowledge of French political life—two highly important qualifications—the author adds a balanced judgment and a distinguished style. The facts and the significance of Gambetta's career are now available in attractive form to English and American readers.

There are apparently some errors in translation, notably one on page 277, line 12.

United States Naval Academy.

JULIUS W. PRATT.

PROBLEMS OF PEACE FROM THE HOLY ALLIANCE TO THE LEAGUE OF NATIONS. By Guglielmo Ferrero. New York and London: G. P. Putnam's Sons, 1919, 281 pp.

This is a series of essays, six in number, sketching the history of Europe from the French Revolution to 1918. The purpose of the author in writing it, he tells us in the first chapter, which is by way of an explanation, was to show his gratitude for the efforts of the United States in the war, efforts, he confesses, he did not wholly anticipate from what he learned of us when he visited the country in 1908.

Like most of the author's books, this one contains many things with which soberer historians will not agree. The change from the old régime to modern popular government, for example, appeals to him as a change from a "qualitative" to a "quantitative" civilization. The fact that the Prussian constitution of the middle of the nineteenth century circumvented this change in that country explains, in the opinion of the author, what he calls the "triumph of Germany" in the succeeding generation. The Revolution of 1848 was therefore a German victory, which was naturally followed by the period of German "peace" which extended from 1870 to 1914.

In Germany, Mr. Ferrero sees the apostle of nationalism, the missionary of a "new cult of steel and fire, the attainment of riches and power by means of science and machinery." The Germans, he thinks, "sacrificed to these new idols everything, such as reason, liberty, and the nobility of life,—which had been admired and sought after for centuries."

The explanation for much of all this is, that the book was written before the armistice was signed and is merely a part of the war propaganda, cleverer than some, but propaganda nevertheless. In fact, the author in his zeal even becomes an apologist for the claims of the Italian Nationalists.

WILLIAM THOMAS LAPRADE.

RED TERROR AND GREEN. By Richard Dawson. New York: E. P. Dutton and Company, 1920, 272 pp.

The author of this book has a genius for seeing red. Its chief purpose is to provide the timid and wavering with a means of convincing themselves that no possible good is in

Sinn Fein. In the end the task is performed too thoroughly. You have all of a number of reasons why you may be against Sinn Fein: Its adherents were pro-German; they are Bolsheviks; they are akin to the I. W. W.; they sympathize with any evil disposed group that happens to be the object of your pet hatred. If you can take the author seriously, it will provide you with an indictment of Sinn Fein that makes the strongest appeal to your particular prejudices.

Seriously, the chief impression this book leaves on a mind that tries to be unprejudiced is to stimulate again the query, why the partisans of all views of the Irish question find it so difficult to write sanely on the subject. Mr. Dawson has no light to shed on the real subject that needs illumination, namely, the conditions in Ireland and in the minds of the Irish that have given rise to the present tragic situation. He therefore contributes nothing that is helpful toward arriving at a settlement.

WILLIAM THOMAS LAPRADE.

THE ENEMIES OF WOMEN (LOS ENEMIGOS DE LA MUJER). By Vicente Blasco Ibanez. Translated from the Spanish by Irving Brown. New York: E. P. Dutton and Company, 1920, 547 pp.

This latest work of Blasco Ibáñez is not on the same plane as his earlier works. In the first place, it is too long. Its 547 pages could have been substantially reduced. In the second place, the undertone of inspiration is not felt here as in his better works. There are no great scenes, though the scenes in the two gambling houses are evidently meant to hold the places occupied by the Battle of the Marne in the "Four Horsemen" and the Aquarium of Naples in "Mare Nostrum." But there are bits of description here and there quite in his best style. The duel scenes, Spadoni's dream and the night at the Sporting Club are especially good. The author depicts the folly of gambling in his usual manner, i. e., by allowing one character and the detailed descriptions to do the preaching.

Michael Fedor Lubimoff, a Russian prince, shut off from his revenues by the Revolution, has retired to his Monte Carlo villa and gathered about him a group of men who are to live

free from feminine society. All goes well for a while, but of course ends as might have been expected. The Duchess de Delille, an old acquaintance and enemy of the Prince, is shut off from her revenues by the Mexican revolution and seeks to repair her fortune by gambling. The subsequent relations of the two form the main love plot of the novel.

The background is the Great War. While these noble good-for-nothings are idly amusing themselves and grumbling at wartime restrictions and privations, trains of soldiers pass on the way to Italy, convoys steam by on the sea below and maimed heroes return to seek recovery or death on the balmy shores. Most of the characters are sooner or later drawn into the conflict. President Wilson's ideals and the coming of the American troops are made much of. Finally after the signing of the Armistice, most of the characters return to Monte Carlo and are seen in the background of myriads of Americans in khaki.

The Prince and the Duchess are typical of Blasco Ibáñez' heroes and heroines; despotic in character, they sow their wild oats with great profusion. The Duchess is a Doña Sol developed more fully. The important female characters are mad-women, without balance or restraint. The one exception is Lady Lewis, who by her devotion to the suffering brings the turning point in the plot. The most real character in the book is the Colonel, faithful retainer of the Prince. Foolish to the end, he exemplifies the favorite Spanish plot of the old man married to a gay young wife.

The aim of the book appears to be two-fold; first, to depict the evils of gambling; second, to show how utterly idle and selfish people can be brought to sacrifice themselves for their fellow men. The book makes a complete tragedy of the lives of the leading characters, but a triumph of the spirit of self-sacrifice.

FREDERICK A. G. COWPER.

Durham, December, 1920.

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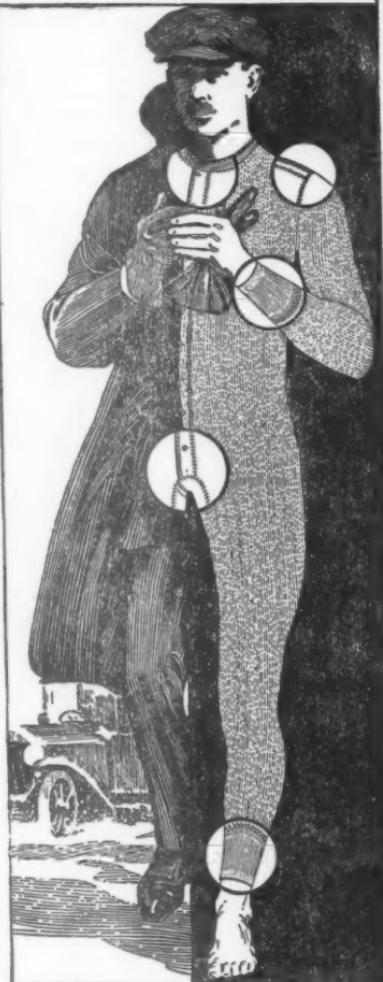
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